

GOVDOC

BRA

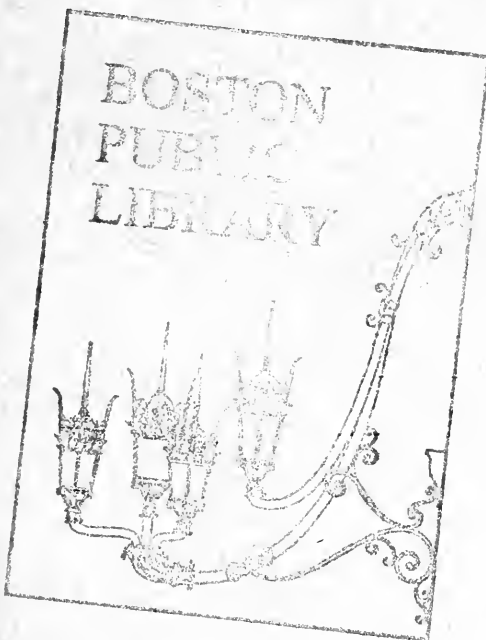
4907

PROPERTY OF  
~~BOSTON RETIREMENT AUTHORITY~~

X 600000

# 1072 REPORT

on HOUSING POLICY and PROGRAMS



Prepared by the Department of Community Affairs  
Leon Charkoudian, Commissioner

J41  
M

For Submission to  
Governor Francis W. Sargent and the General Court

Publication of This Document Approved by Alfred C. Holland, State Purchasing Agent.  
500-1-72-050959  
Estimated Cost Per Copy: \$2.08



## TABLE OF CONTENTS

Introduction	ii
I. HOUSING NEED, HOUSING EFFORT, AND HOUSING TARGETS	1
II. ALTERNATIVE MANAGEMENT AND OWNERSHIP STRATEGIES FOR PUBLIC HOUSING	26
III. INSTITUTE FOR HOUSING MANAGEMENT	32
IV. CONVERSION OF HOUSING AND REDEVELOPMENT AUTHORITIES TO MUNICIPAL AGENCIES	34
V. ABANDONMENT	36
VI. SYSTEMS BUILDING	39

### List of Appendices

- A. An act providing homeownership opportunities for families of low income.
- B. An act permitting the reorganization of housing and redevelopment authorities from a five-member board to a single member authority as an alternative and enabling the creation of a combined housing and redevelopment authority.
- C. An act providing for the immediate foreclosure of the owner's right of redemption on property in tax title upon the finding by the treasurer that such property is abandoned or upon consent of the owner and for the shortening of the redemption period.
- D. An act expediting public housing construction in the Commonwealth.
- E. An act increasing the bonding authorization of family and elderly housing.

The preparation of this report was financed in part by a grant from the U.S. Department of Housing and Urban Development under the provisions of Section 701 of the Housing Act of 1954, as amended.

## INTRODUCTION

This is the Department of Community Affairs' second annual report on Housing Policy and Programs. The 1970 submission focused on housing production and on state, regional, and local governmental roles in providing decent housing for Commonwealth citizens. Last year's study made recommendations concerning housing goals and targets; bonding authorization for MHFA; tax reimbursements to communities that provide low-income housing; systems building; housing information systems; and tenant representation and tenant needs.

Massachusetts' unique involvement in wholly state-aided housing programs has provided over 30,000 low and moderate income housing units since 1947. It is clear, however, that Massachusetts state government's substantial commitment to solving the Commonwealth's housing problems must be broadened and strengthened, both in terms of financial contribution and programmatic effort. Existing programs must be continually expanded and modified to meet emerging needs; new ways of producing state-assisted housing must be devised. Several recommendations to this effect are presented in this study.

It is important to note that Massachusetts' housing crisis is more than just a matter of dollars and number of units. In preparing this year's housing report, the Department has placed special emphasis on three additional issues.

First, an effective response to housing needs requires not only the production of adequate quantities of dwelling units but also the provision of the right type of housing - sales or rental, high-rise or garden apartments, family or elderly, etc. - at appropriate costs in proximity to employment opportunities and adequate public facilities. A major portion of this report analyzes the existing distribution of subsidized housing units in the Commonwealth and suggests mechanisms through which the state might encourage a more rational allocation of publicly-assisted housing.

Second, equally important to the development of adequate numbers and types of housing units is the quality of residential environments. Competent management of units, efficient city services, ap-

propriate supportive social services, and active resident involvement in the management and maintenance of their homes, are essential to the provision of decent, comfortable housing. This study discusses a proposal for the training of urgently-needed housing management personnel as well as possibilities for cooperative, condominium, and resident ownership of state-aided public housing.

Third, the capacity of local, regional, and state governmental institutions to effectively plan and deliver housing is of critical importance. Currently, responsibility for housing as well as other functions is severely fragmented. The Department's findings address that problem, particularly on the local level where autonomous housing and redevelopment authorities continue to operate independently of elected officials and municipal planning processes. In addition, several of the study's proposals are designed to promote greater coordination of local, state, and regional housing agencies in setting goals and administering housing programs.

Specific recommendations include the following:

- ... The establishment of regional housing targets, to be distributed by Regional Planning Agencies among their constituent municipalities.
- ... The conversion of the 705 family housing program into a cooperative, condominium, and single-family home ownership program.
- ... The transfer of the management and, where feasible, the ownership of existing Chapter 200 Veterans' units to tenants or tenant-controlled organizations.
- ... The creation of an Institute of Housing Management to conduct research on multi-family living and to train management personnel.
- ... The provision of optional procedures by which housing and redevelopment authorities may be converted to municipal line agencies responsible to elected local chief executives.
- ... The enactment of legislation to help municipalities deal more effectively with the abandonment of residential buildings.
- ... The enactment of legislation to facilitate the utilization of new

technologies and market aggregation in public housing construction.

... The enactment of legislation to increase the bonding authorization for family and elderly housing.

The Department presents these recommendations as part of a continuing effort toward the development of a more diversified state housing strategy which will encourage regional, local, and private efforts to meet the Commonwealth's urgent housing needs.

## *I. HOUSING NEED, HOUSING EFFORT, AND HOUSING TARGETS*

Far too many people in Massachusetts pay more than they can afford for housing, housing which is all too often overcrowded and unfit for human habitation. Preliminary figures on the Commonwealth from the 1970 *Census of Housing* strongly substantiate estimates of housing need reported in the Department's 1971 Housing Study.

- ... Increases in the cost of housing during the past ten years have outstripped that of income, making it difficult for more and more people to find decent housing.
- ... Vacancy rates in both sales and rental housing during the past ten years have fallen well below the one percent for sales units and five to six percent for rental units considered necessary if the housing market is to function adequately.
- ... Over one hundred and four thousand households are living in housing units too small for their needs.
- ... Over sixty-five thousand housing units lack some or all of the basic plumbing facilities.

Census data on personal income, available this January, will document the exact numbers of households unable to afford adequate housing without sharply reducing their ability to purchase other necessities such as food, clothing, and health care. But the severity of the problem is suggested by the National Commission on Urban Problems' (the Douglas Commission) conclusion that one third of the families of the nation cannot buy or rent decent housing at market rates by paying a reasonable portion of their income.

An attempt to provide decent, comfortable housing at reasonable prices must focus not only on number of units, but also on location. A necessary consideration is where publicly-assisted housing has been developed in relation to where housing needs exist. This chapter will focus on the achievement of a rational distribution of subsidized housing among the Commonwealth's 351 cities and towns.

### *Subsidized Housing Efforts of Massachusetts Municipalities*

While combined state and federal efforts have provided 4.66 percent of the State's existing dwelling units and 2.44 occupied or planned subsidized units for every 1000 Massachusetts residents, the

record among individual municipalities is highly uneven. An accompanying chart provides two types of information regarding the distribution of public and publicly-assisted housing in Massachusetts. First, the total number of subsidized units occupied or currently being developed in each city and town is listed. The compilation includes units built under federal public housing programs (family, elderly, and leased housing); federal moderate income programs (Sections 235, 236, 221, and 202); and state-financed programs (family, elderly, and veterans' housing, rental assistance, and Massachusetts Housing Finance Agency low and moderate income housing.)

While these figures suggest wide disparities among localities, they do not provide a wholly satisfactory basis of comparison since the characteristics of these localities vary greatly. Thus, a second set of indices allows for direct comparison by giving the number of subsidized units as proportions of total dwelling units and of population for each city and town. The number of *occupied* publicly-assisted units is computed as a percentage of the municipality's total existing units.<sup>1</sup> The number of subsidized units *either* occupied or currently in process for each 1000 of the municipality's population is also listed.

Although this comparison does not take into account such factors as a municipality's per capita income, percentage of low income families, percentage of elderly, percentage of substandard housing, and other determinants of housing need, such local factors are not necessarily crucial in deciding where subsidized housing should be placed. It is also necessary to consider an individual community's efforts in response to *regional* need for low and moderate income housing. For this reason, the general patterns indicated by these measures do have some degree of utility, although a complete analysis would include the above factors at the regional level.

<sup>1</sup> For the purpose of this report, seasonal units as identified in the 1970 Census were subtracted from total units to obtain figures for total year-round dwelling units. At the present time, this information is available only for cities and towns of more than 10,000 inhabitants; thus these calculations have been performed for the above municipalities and for all municipalities having no subsidized units.



*Subsidized Units as a Proportion of Total Units*

The data on existing subsidized units as a percentage of total dwelling units strongly indicates that publicly-assisted housing is heavily concentrated in a relatively small number of municipalities: 193 of the Commonwealth's 351 cities and towns contain no subsidized low or moderate income housing; at the other end of the spectrum, nearly 13 percent of Boston's housing units are publicly subsidized. Only 21 communities have more than the state average of 4.66 percent subsidized units. Only 3 cities and towns (Boston, Fall River, and Holyoke) meet the 10 percent general limit below which localities might be required to grant permits to build low and moderate income housing in compliance with Chapter 774 of the Acts of 1969.

The following cities and towns rank highest in occupied subsidized units as a percentage of total units:

Boston	12.83%	Quincy	7.86%
Fall River	11.92%	Lawrence	7.67%
Holyoke	10.08%	Amherst	6.89%
Cambridge	8.54%	Framingham	6.55%
Malden	8.23%	New Bedford	6.51%

It may be seen from this list that the communities in which low and moderate income housing is concentrated are distinguished by two major characteristics. First, they are large municipalities, having an average population of 129,161 and a minimum population of 26,000. Second, they are declining in population. Seven of these cities and towns lost population between 1960 and 1970. Only Framingham and Amherst grew significantly, the latter increase largely attributable to increased numbers of students attending the University of Massachusetts.

*Subsidized Units per 1000 Population*

A similar pattern of concentration emerges with regard to the number of occupied and planned subsidized units for each 1000 community residents. The following chart illustrates the fact that a very few communities contain substantial quantities of low and moderate income housing relative to their population sizes.

*Units per 1000 Population**Number of Municipalities*

0	175
.1 — 9.0	108
10 — 19.9	36
20 — 29.9	13
30 — 39.9	9
40 — 49.9	7
50 — 59.9	1
60+	3

The specific cities and towns which rank highest on this measure differ slightly, however, from those ranking highest in subsidized units as a percentage of total units.

Boston	74.9 units/1000 pop.	Chelsea	48.9
Fall River	65.9	Brockton	48.1
Cambridge	60.1	Lawrence	45.3
Holyoke	56.5	Malden	44.3
Hull	48.9	Haverhill	48.8

These differences reflect the fact that the index used here includes subsidized units currently being developed, as well as existing units. The four communities (Hull, Haverhill, Chelsea, and Brockton) which appear on this list but not on the previous one have all made recent and extensive efforts to “catch up” in the provision of low and moderate income housing consistent with their needs. Thus these localities have many more subsidized units being planned or built than currently exist.

	<i>Occupied</i>	<i>In Process</i>
Hull	28	459
Haverhill	843	1087
Chelsea	634	861
Brockton	1682	2598

In addition, because of its unique status as a student-populated town, Amherst does not appear on the highest-ranking list. That is, many student dwelling units, as dormitories, are not counted in the total housing units used to derive subsidized as a percentage of total units. In that count, Amherst compared favorably with much larger cities. Amherst’s effort would probably rank among the highest were

is not for the fact that students *are* counted as part of the town's permanent population, thus lowering the number of subsidized units per 1000 population.

As a group, the cities and towns possessing the highest concentrations of publicly-assisted housing per 1000 population are somewhat smaller than the 10 highest-ranking municipalities in the first group. Their average population is 59,733 (as compared to 129,161), suggesting that those cities and towns most active in recent planning of new units tend to be smaller than communities where subsidized housing is presently concentrated. However, like the first group, the communities on this list are for the most part declining. All except Hull and Brockton lost population in the 1960's.

## SUBSIDIZED HOUSING EFFORTS OF MASSACHUSETTS MUNICIPALITIES

Community	1970 Population	Rate of Growth 1960-1970	Total Dwelling Units	State and Federally Assisted Housing Units in Occupancy & in Process	Subsidized Units Per 1000 Population	State & Federally Assisted Housing Units in Occupancy	Occupied Units as % Total Units (Chapter 77A measure)
Abington	12,334	16.3	3,515	40	3.2	40	1.14%
Acton	14,770	104.1	4,189	0	0	0	0
Acushnet	7,767	35.0	NA *	0	0	0	0
Adams	11,772	- 5.0	4,103	130	11.0	0	—
Agawam	21,717	38.2	7,083	237	10.9	181	2.56
Alford	302	18.0	NA	0	0	0	0
Amesbury	11,388	5.1	3,787	127	11.2	127	3.36
Amherst	26,331	91.9	5,103	906	21.3	560	6.89
Andover	23,695	38.3	7,130	136	5.7	136	1.91
Arlington	53,524	7.1	17,930	484	9.0	484	2.70
Ashburnham	3,484	26.3	NA	4	1.1	4	—
Ashby	2,274	20.8	NA	0	0	0	0
Ashfield	1,274	12.6	NA	0	0	0	0
Ashland	8,882	14.2	NA	40	4.5	40	—
Athol	11,185	- 3.9	4,088	112	10.0	62	1.52
Attleboro	32,907	21.3	10,417	278	8.4	278	2.67
Auburn	15,347	9.3	4,580	0	0	0	0
Avon	5,295	23.1	NA	0	0	0	0
Ayer	7,393	- 50.5	NA	0	0	0	0
Barnstable	19,842	47.4	8,456	215	10.8	83	0.98
Barre	3,825	9.9	NA	0	0	0	0
Becket	929	20.6	3,326	0	0	0	0
Bedford	13,513	23.2	NA	52	3.8	52	—
Belchertown	5,936	14.5	NA	53	9.2	0	0
Bellingham	13,967	106.2	3,644	64	4.6	64	1.76
Belmont	28,285	- 1.5	9,450	180	6.4	100	1.06
Berkley	2,027	26.0	NA	0	0	0	0
Berlin	2,099	20.5	NA	0	0	0	0
Bernardston	1,659	21.1	NA	0	0	0	0
Beverly	38,348	6.2	12,000	378	9.9	366	3.05
Billerica	31,648	77.1	8,144	64	2.0	64	0.79
Blackstone	6,566	28.0	NA	40	6.1	0	0
Blandford	863	35.7	NA	0	0	0	0
Bolton	1,905	50.7	NA	0	0	0	0
Boston	641,071	- 8.0	232,410	48,006	74.9	29,821	12.83
Bourne	12,636	- 9.8	4,446	36	2.8	36	0.81
Boxborough	1,451	95.0	NA	0	0	0	0
Boxford	4,032	100.6	NA	0	0	0	0

Community	1970 Population	Rate of Growth 1960-1970	Total Dwelling Units	State and Federally Assisted Housing Units in Occupancy & in Process	Subsidized Units Per 1000 Population	State & Federally Assisted Housing Units in Occupancy	Occupied Units as % Total Units (Chapter 774 measure)
Boylston	2,774	17.2	NA	0	0	0	0
Braintree	35,050	12.8	9,732	187	5.3	75	.77
Brewster	1,790	44.8	NA	0	0	0	0
Bridgewater	11,829	15.1	3,160	96	8.1	40	1.27
Brimfield	1,907	34.9	NA	0	0	0	0
Brockton	89,040	22.3	28,767	4,280	48.1	1,682	5.85
Brookfield	2,063	17.8	NA	0	0	0	0
Brookline	58,886	9.0	23,314	1,737	29.5	892	3.82
Buckland	1,892	13.7	NA	0	0	0	0
Burlington	21,980	71.0	5,418	40	1.8	40	0.74
Cambridge	100,361	- 6.8	37,640	6,028	60.1	3,216	8.54
Canton	17,100	33.9	4,662	98	5.7	98	2.10
Carlisle	2,871	92.9	NA	0	0	0	0
Carver	2,420	24.2	NA	0	0	0	0
Charlemont	897	—	NA	0	0	0	0
Charlton	4,654	26.3	NA	0	0	0	0
Chatham	4,554	39.1	NA	40	8.9	0	0
Chelmsford	31,432	107.0	8,551	0	0	0	0
Chelsea	30,625	-9.3	10,493	1,495	48.9	634	6.04
Cheshire	3,006	21.6	NA	0	0	0	0
Chester	1,025	- 11.3	NA	0	0	0	0
Chesterfield	704	26.6	NA	0	0	0	0
Chicopee	66,676	8.3	20,375	1,062	15.9	940	4.61
Chilmark	340	42.9	NA	0	0	0	0
Clarksburg	1,987	14.1	NA	0	0	0	0
Clinton	13,383	4.2	4,395	214	16.0	214	4.87
Cohasset	6,954	19.1	NA	0	0	0	0
Colrain	1,420	- 0.4	NA	0	0	0	0
Concord	16,148	29.0	4,440	32	2.0	32	0.72
Conway	998	14.1	NA	0	0	0	0
Cummington	562	2.2	NA	0	0	0	0
Dalton	7,505	16.6	NA	40	5.3	40	—
Danvers	26,151	19.3	7,330	30	3.1	26	0.36
Dartmouth	18,800	28.7	6,067	44	2.3	44	0.73
Dedham	26,938	12.9	7,772	235	8.7	235	3.02
Deerfield	3,850	15.3	NA	0	0	0	0
Dennis	6,454	73.2	NA	0	0	0	0
Dighton	4,667	23.8	NA	0	0	0	0
Douglas	2,947	15.2	NA	0	0	0	0
Dover	4,529	59.1	NA	0	0	0	0
Dracut	18,214	33.2	5,942	75	4.1	0	0
Dudley	8,087	24.2	NA	0	0	0	0

Community	1970 Population	Rate of Growth 1960-1970	Total Dwelling Units	State and Federally Assisted Housing Units in Occupancy & in Process	Subsidized Units Per 1000 Population	State & Federally Assisted Housing Units in Occupancy	Occupied Units as % Total Units (Chapter 774 measure)
Dunstable	1,292	56.8	NA	0	0	0	0
Duxbury	7,636	61.5	NA	0	0	0	0
E. Bridgewater	8,347	36.0	NA	48	5.8	48	---
E. Brookfield	1,800	17.4	NA	6	3.3	0	0
E. Longmeadow	13,029	26.6	3,735	92	7.1	92	2.46
Eastham	2,043	70.2	NA	0	0	0	0
Easthampton	13,012	5.6	4,433	227	17.4	177	3.99
Easton	12,157	33.9	3,255	64	5.3	64	1.97
Edgartown	1,481	0.5	NA	0	0	0	0
Egremont	1,138	27.1	NA	0	0	0	0
Erving	1,260	- 0.9	NA	0	0	0	0
Essex	2,670	19.3	NA	40	15.0	40	---
Everett	42,485	- 2.4	14,169	672	15.8	672	4.74
Fairhaven	16,332	13.9	5,283	92	5.6	40	0.76
Fall River	96,898	- 3.0	34,143	6,390	65.9	4,070	11.92
Falmouth	15,942	22.3	6,176	1,502	31.5	243	3.93
Fitchburg	43,343	0.7	14,811	502	34.7	600	4.05
Florida	672	18.1	NA	0	0	0	0
Foxborough	14,218	40.3	3,876	40	2.8	40	1.03
Framingham	64,048	43.8	19,439	1,867	29.2	1,274	6.55
Franklin	17,830	69.3	4,491	675	37.9	108	2.41
Freestown	4,270	40.5	NA	0	0	0	0
Gardner	19,748	3.7	6,492	297	15.0	157	2.42
Gay Head	118	14.6	NA	0	0	0	0
Georgetown	5,290	40.9	NA	0	0	0	0
Gill	1,100	- 8.6	NA	0	0	0	0
Gloucester	27,941	8.3	9,526	388	13.9	388	4.07
Goshen	483	25.5	NA	0	0	0	0
Gosnold	83	25.8	NA	0	0	0	0
Grafton	11,659	9.7	3,186	56	4.8	56	1.76
Granby	5,473	29.7	NA	0	0	0	0
Granville	1,008	15.3	NA	0	0	0	0
Gt. Barrington	7,537	13.8	NA	32	4.2	32	---
Greenfield	18,116	2.4	6,574	443	24.5	145	2.21
Groton	5,109	30.9	NA	0	0	0	0
Groveland	5,382	63.2	NA	0	0	0	0
Hadley	3,750	21.0	NA	40	10.7	40	---
Halifax	3,537	121.2	NA	0	0	0	0
Hamilton	6,373	16.1	NA	40	6.3	40	---
Hampden	4,572	95.0	NA	0	0	0	0
Hancock	675	48.4	NA	0	0	0	0
Hanover	10,107	70.6	2,613	0	0	0	0

Community	1970 Population	Rate of Growth 1960-1970	Total Dwelling Units	State and Federally Assisted Housing Units in Occupancy & in Process	Subsidized Units Per 1000 Population	State & Federally Assisted Housing Units in Occupancy	Occupied Units as % Total Units (Chapter 774 measure)
Hanson	7,148	63.6	NA	0	0	0	0
Hardwick	2,379	1.7	NA	0	0	0	0
Harvard	13,426	423.8	2,309	0	0	0	0
Harwich	5,892	57.2	NA	0	0	0	0
Hatfield	2,825	20.2	NA	55	19.5	3	---
Haverhill	46,120	- 0.5	16,105	1,930	41.8	843	5.23
Hawley	224	-10.8	NA	0	0	0	0
Heath	383	26.0	NA	0	0	0	0
Hingham	18,845	22.5	5,291	48	2.5	0	0
Hinsdale	1,588	12.3	NA	0	0	0	0
Holbrook	11,775	16.5	3,243	64	5.4	0	0
Holden	12,564	24.2	3,844	0	0	0	0
Holland	931	66.0	NA	0	0	0	0
Holliston	12,069	94.0	3,241	0	0	0	0
Holyoke	50,112	- 4.9	18,444	2,829	56.5	1,859	10.08
Hopedale	4,292	7.6	NA	40	9.3	40	---
Hopkinton	5,981	21.3	NA	72	12.0	32	---
Hubbardston	1,437	18.1	NA	0	0	0	0
Hudson	16,084	66.4	4,612	106	6.6	48	1.04
Hull	9,961	41.2	NA	487	48.9	28	---
Huntington	1,593	14.4	NA	0	0	0	0
Ipswich	10,750	25.8	3,396	188	17.5	130	3.83
Kingston	5,999	39.4	NA	0	0	0	0
Lakeville	4,376	36.4	NA	0	0	0	0
Lancaster	6,095	54.0	NA	70	11.5	70	---
Lanesborough	2,972	1.3	NA	0	0	5	---
Lawrence	66,915	- 5.7	24,903	3,034	45.3	1,909	7.67
Lee	6,426	21.9	NA	5	0.8	0	0
Leicester	9,140	11.8	NA	80	8.8	80	---
Lenox	5,804	36.5	NA	48	8.3	48	---
Leominster	32,939	17.9	10,337	280	8.5	180	1.74
Leverett	1,005	10.0	NA	0	0	0	0
Lexington	31,886	15.1	8,655	261	8.2	105	1.21
Leydon	376	9.6	NA	0	0	0	0
Lincoln	7,567	34.8	NA	0	0	0	0
Littleton	6,380	24.9	NA	0	0	0	0
Longmeadow	15,630	47.9	4,474	0	0	0	0
Lowell	94,239	2.3	31,474	3,149	33.4	2,013	6.40
Ludlow	17,580	27.3	5,207	50	2.8	42	0.81
Lunenburg	7,419	17.1	NA	48	6.5	48	---
Lynn	90,294	- 4.4	32,589	1,765	19.5	1,653	5.07
Lynnfield	10,826	28.9	3,010	0	0	0	0

Community	1970 Population	Rate of Growth 1960-1970	Total Dwelling Units	State and Federally Assisted Housing Units in Occupancy & in Process	Subsidized Units Per 1000 Population	State & Federally Assisted Housing Units in Occupancy	Occupied Units as % Total Units (Chapter 774 measure)
Malden	56,127	- 2.7	19,292	2,486	44.3	1,587	8.23
Manchester	5,151	31.0	NA	32	6.2	32	---
Mansfield	9,939	27.9	NA	40	4.0	40	---
Marblehead	21,295	15.0	7,398	210	9.9	210	2.84
Marion	3,466	20.3	NA	0	0	0	0
Marlborough	27,936	48.4	8,821	104	3.7	104	1.18
Marshfield	15,223	125.6	4,340	64	4.2	0	0
Mashpee	1,288	48.6	NA	0	0	0	0
Mattapoissett	4,500	44.4	NA	10	2.2	10	---
Maynard	9,710	26.2	NA	56	5.8	56	---
Medfield	9,821	63.1	NA	40	4.1	0	0
Medford	64,397	- 0.9	19,857	806	12.5	806	4.06
Medway	7,938	53.6	NA	94	11.8	34	---
Melrose	33,180	12.0	10,212	264	8.0	264	2.59
Mendon	2,524	22.0	NA	30	11.9	30	---
Merrimac	4,245	30.2	NA	0	0	0	0
Methuen	35,456	26.1	11,444	286	8.1	260	2.27
Middleborough	13,607	23.0	4,305	118	8.7	118	2.74
Middlefield	288	- 8.6	NA	0	0	0	0
Middleton	4,044	8.8	NA	54	13.4	0	0
Milford	19,352	22.9	6,189	648	33.5	296	4.78
Millbury	11,987	24.6	3,634	107	8.9	57	1.57
Millis	5,686	30.0	NA	32	5.6	32	---
Millville	1,764	12.6	NA	0	0	0	0
Milton	27,190	3.1	8,057	139	5.1	0	0
Monroe	216	2.9	NA	0	0	0	0
Monson	7,355	9.6	NA	55	7.5	5	---
Montague	8,451	7.8	NA	70	8.3	70	---
Monterey	600	25.0	NA	0	0	0	0
Montgomery	446	33.9	NA	0	0	0	0
Mt. Washington	52	52.9	NA	0	0	0	0
Nahant	4,119	4.0	NA	14	3.4	14	---
Nantucket	3,774	6.0	NA	0	0	0	0
Natick	31,057	7.7	8,982	264	8.5	216	2.41
Needham	29,748	15.3	8,674	232	7.8	152	1.75
New Ashford	183	10.9	NA	0	0	0	0
New Bedford	101,777	- 0.7	36,568	4,086	40.1	2,380	6.51
New Braintree	631	24.0	NA	0	0	0	0
New Marlborough	1,031	- 4.8	NA	0	0	0	0
New Salem	474	19.4	NA	0	0	0	0
Newbury	3,804	51.0	NA	0	0	97	---



Community	1970 Population	Rate of Growth 1960-1970	Total Dwelling Units	State and Federally Assisted Housing Units in Occupancy & in Process	Subsidized Units Per 1000 Population	State & Federally Assisted Housing Units in Occupancy	Occupied Units as % Total Units (Chapter 774 measure)
Newburyport	15,807	12.9	5,377	202	12.8	0	0
Newton	91,066	- 1.4	27,422	800	8.8	615	2.24
Norfolk	4,656	34.1	6,632	0	0	0	0
North Adams	19,195	- 3.6	NA	350	18.2	145	—
N. Andover	16,284	49.3	4,943	283	17.4	231	4.62
N. Attleborough	18,665	26.3	NA	124	6.6	124	—
N. Brookfield	3,967	9.7	NA	0	0	40	—
N. Reading	11,264	35.2	3,010	40	3.6	0	0
Northampton	29,664	- 1.3	8,933	615	20.7	397	4.44
Northborough	9,218	37.8	NA	72	7.8	72	—
Northbridge	11,795	9.2	3,744	98	8.3	98	2.62
Northfield	2,631	13.4	NA	0	0	0	0
Norton	9,487	39.1	NA	40	4.2	0	0
Norwell	7,796	49.7	NA	0	0	0	0
Norwood	30,815	23.8	9,321	516	16.7	233	2.50
Oak Bluffs	1,385	- 2.4	NA	0	0	0	0
Oakham	730	39.3	NA	0	0	0	0
Orange	6,104	- 0.8	NA	56	9.2	56	—
Orleans	3,055	30.4	NA	42	13.7	2	—
Otis	820	73.4	NA	0	0	0	0
Oxford	10,345	11.5	2,996	5	0.5	3	0.10
Palmer	11,680	12.8	3,937	50	4.3	48	1.22
Paxton	3,731	55.5	NA	0	0	0	0
Peabody	48,080	49.3	14,417	568	11.8	568	3.94
Pelham	937	16.4	NA	0	0	0	0
Pembroke	11,193	127.5	3,092	56	5.0	56	1.81
Pepperell	5,887	35.8	NA	0	0	0	0
Peru	256	29.9	NA	0	0	0	0
Petersham	1,014	13.9	NA	0	0	0	0
Phillipston	872	25.5	NA	0	0	0	0
Pittsfield	57,020	- 1.5	18,845	1,264	22.2	577	3.06
Plainfield	287	21.1	NA	0	0	0	0
Plainville	4,953	30.0	NA	40	8.1	40	—
Plymouth	18,606	28.8	6,817	531	28.5	256	3.76
Plympton	1,224	49.1	NA	0	0	0	0
Princeton	1,681	23.6	NA	0	0	0	0
Provincetown	2,911	14.1	NA	0	0	0	0
Quincy	87,966	0.6	29,059	3,287	37.4	2,283	7.86
Randolph	27,035	43.0	7,380	112	4.1	112	1.52
Raynham	6,705	61.6	NA	0	0	0	0
Reading	22,539	17.0	6,463	80	3.5	80	1.24
Rehoboth	6,512	31.5	NA	0	0	0	0

Community	1970 Population	Rate of Growth 1960-1970	Total Dwelling Units	State and Federally Assisted Housing Units in Occupancy & in Process	Subsidized Units Per 1000 Population	State & Federally Assisted Housing Units in Occupancy	Occupied Units as % Total Units (Chapter 774 measure)
Revere	43,159	7.7	14,486	854	19.8	782	5.40
Richmond	1,461	64.2	NA	0	0	0	0
Rochester	1,770	13.5	NA	0	0	0	0
Rockland	15,674	19.5	4,255	42	2.7	42	0.99
Rockport	5,636	22.1	NA	80	14.2	80	—
Rowe	277	19.9	NA	0	0	0	0
Rowley	3,040	9.2	NA	0	0	0	0
Royalston	809	1.1	NA	0	0	0	0
Russell	1,382	1.2	NA	0	0	0	0
Rutland	3,198	- 1.7	NA	0	0	0	0
Salem	40,556	3.4	14,101	801	19.8	451	3.20
Salisbury	4,179	32.5	NA	0	0	0	0
Sandisfield	547	2.1	NA	0	0	0	0
Sandwich	5,239	151.6	NA	0	0	0	0
Saugus	25,110	21.5	7,322	185	7.4	85	1.16
Savoy	322	16.2	NA	0	0	0	0
Scituate	16,973	51.4	4,713	80	4.7	80	1.70
Seekonk	11,116	32.3	3,313	0	0	0	0
Sharon	12,367	22.8	3,468	0	0	0	0
Sheffield	2,374	11.0	NA	0	0	0	0
Shelburne	1,836	5.6	NA	0	0	0	0
Sherborn	3,309	83.2	NA	0	0	0	0
Shirley	4,909	- 5.6	NA	0	0	0	0
Shrewsbury	19,196	15.5	5,785	123	6.4	3	0.05
Shutesbury	489	84.5	NA	0	0	0	0
Somerset	18,088	48.3	5,496	135	7.5	60	1.09
Somerville	88,779	- 6.2	29,755	1,832	20.6	1,699	5.71
S. Hadley	17,033	13.9	4,949	98	5.6	93	1.88
Southampton	3,069	40.0	NA	19	6.2	15	—
Southborough	5,798	45.1	NA	0	0	0	0
Southbridge	17,057	3.2	6,015	0	0	0	0
Southwick	6,330	23.2	NA	39	6.2	20	—
Spencer	8,779	12.0	NA	84	9.6	84	—
Springfield	163,905	- 6.1	56,322	4,546	27.7	2,517	4.47
Sterling	4,247	33.0	NA	40	9.4	40	—
Stockbridge	2,312	7.0	NA	0	0	0	0
Stoneham	20,725	16.3	6,514	453	21.9	181	2.78
Stoughton	23,459	43.7	8,503	725	30.9	226	2.66
Stow	3,984	54.8	NA	0	0	0	0
Sturbridge	4,878	35.3	NA	0	0	0	0
Sudbury	13,506	81.4	3,390	0	0	0	0
Sunderland	2,236	74.8	NA	0	0	0	0

Community	1970 Population	Rate of Growth 1960-1970	Total Dwelling Units	State and Federally Assisted Housing Units in Occupancy & in Process	Subsidized Units Per 1000 Population	State & Federally Assisted Housing Units in Occupancy	Occupied Units as % Total Units (Chapter 774 measurt)
Sutton	4,590	26.2	NA	40	8.7	40	—
Swampscott	13,578	2.1	4,396	120	8.8	120	2.73
Swansea	12,640	27.5	3,869	64	5.1	0	0
Taunton	43,756	6.4	13,689	1,094	25.0	451	3.30
Templeton	5,863	9.2	NA	0	0	0	0
Tewksbury	22,755	43.1	5,266	80	3.5	80	1.52
Tisbury	2,257	4.1	NA	0	0	0	0
Tolland	172	70.3	NA	0	0	0	0
Topsfield	5,225	55.9	NA	0	0	0	0
Townsend	4,281	17.3	NA	0	0	0	0
Truro	1,234	23.2	NA	0	0	0	0
Tyngsborough	4,204	27.3	NA	0	0	0	0
Tyringham	234	18.8	NA	0	0	0	0
Upton	3,484	11.4	NA	40	11.5	40	—
Uxbridge	8,253	6.0	NA	52	6.3	52	—
Wakefield	25,402	4.6	7,855	680	26.8	116	1.48
Wales	852	29.3	NA	0	0	0	0
Walpole	18,149	29.0	4,835	64	3.5	64	1.32
Waltham	61,582	11.1	18,559	1,156	18.8	877	4.73
Ware	8,187	8.9	NA	5	0.6	0	0
Wareham	11,492	21.5	4,391	4	3.8	40	0.91
Warren	3,633	7.4	NA	0	0	0	0
Warwick	492	15.5	NA	0	0	0	0
Washington	406	40.0	NA	0	0	0	0
Watertown	39,307	0.5	12,836	682	17.4	432	3.37
Wayland	13,461	28.9	NA	0	0	0	0
Webster	14,917	9.0	5,389	168	11.3	30	0.56
Wellesley	28,051	7.6	7,948	167	6.0	127	1.60
Wellfleet	1,743	24.1	NA	0	0	0	0
Wendell	405	38.7	NA	0	0	0	0
Wenham	3,849	37.6	NA	0	0	0	0
W. Boylston	6,369	15.3	NA	0	0	0	0
W. Bridgewater	7,152	41.3	NA	48	6.7	0	0
W. Brookfield	2,653	20.2	NA	0	0	0	0
W. Newbury	2,254	22.2	NA	0	0	0	0
W. Springfield	28,461	14.2	9,642	221	7.8	221	2.29
W. Stockbridge	1,354	8.8	NA	0	0	0	0
W. Tisbury	453	25.8	NA	0	0	0	0
Westborough	12,594	3.1	3,330	54	4.3	14	0.42
Westfield	31,433	19.5	9,739	0	0	285	2.93
Westford	10,368	65.6	2,845	0	0	0	0
Westhampton	793	36.0	NA	0	0	0	0

Community	1970 Population	Rate of Growth 1960-1970	Total Dwelling Units	State and Federally Assisted Housing Units in Occupancy & in Process	Subsidized Units Per 1000 Population	State & Federally Assisted Housing Units in Occupancy	Occupied Units as % Total Units (Chapter 774 measure)
Westminster	4,273	6.2	NA	40	9.4	0	0
Weston	10,870	31.6	2,784	0	0	0	0
Westport	9,791	47.4	NA	48	4.9	0	0
Westwood	12,750	23.1	3,568	158	12.4	0	0
Weymouth	54,610	13.4	15,945	698	12.8	548	3.44
Whately	1,145	10.4	NA	0	0	0	0
Whitman	13,059	24.5	3,858	40	3.1	40	1.04
Wilbraham	11,984	62.2	3,397	40	3.3	0	0
Williamsburg	2,342	7.1	NA	0	0	0	0
Williamstown	8,454	15.5	NA	0	0	0	0
Wilmington	17,102	37.1	4,405	40	2.3	40	0.91
Winchendon	6,635	6.4	NA	140	21.1	80	---
Winchester	22,269	14.9	6,541	0	0	0	0
Windsor	468	21.9	NA	0	0	0	0
Winthrop	20,335	0.2	6,785	428	21.0	279	4.11
Woburn	37,406	19.8	10,793	460	12.3	370	3.43
Worcester	176,572	- 5.4	58,538	5,433	30.8	2,693	4.60
Worthington	712	19.3	NA	0	0	0	0
Wrentham	7,315	9.4	NA	66	9.0	66	---
Yarmouth	12,033	118.6	5,438	45	3.7	0	0
<b>TOTALS</b>	<b>5,689,170</b>	<b>10.5</b>	<b>1,836,198</b>	<b>138,651</b>	<b>2.44</b>	<b>85,621</b>	<b>4.66%</b>

## *Implications*

In the past, the decisions to build or not to build low and moderate income housing have been made essentially by local public or private housing sponsors. The state and federal governments have merely had approval authority over housing development applications. The results of this reliance on local initiative are suggested by the data discussed above. Some municipalities, primarily the older, heavily populated central cities, have borne a disproportionate share of the responsibility for housing low and moderate income families, building very large numbers of units relative to the size of their housing stocks and their populations. Other communities, regardless of local or regional need, have developed no low or moderate cost housing at all.

The above data further suggests serious future consequences for the Commonwealth if the present inequitable distribution of subsidized housing is perpetuated. The bulk of existing and planned publicly-assisted housing is concentrated in declining communities - those which are rapidly losing population, industry, tax base, and employment. Changing economic patterns - new employment centers, highways, and other transportation links - which produce changing demand for housing have been largely ignored in decisions relating to subsidized housing. For example, Burlington, which gained 8,160 new jobs between 1960 and 1969<sup>2</sup>, contains only 40 subsidized units for low and moderate income families who might wish to take advantage of these employment opportunities.

These patterns will not reverse themselves. Positive action at all levels of government is required if an economically and socially rational distribution of publicly-subsidized housing, responsive to urgent housing needs across the Commonwealth, is to be obtained.

## *State Housing Targets*

In order to encourage a distribution of subsidized housing commensurate with regional and local needs, the Department has established a statewide five year target of 110,000 additional subsidized units to be allocated among the regions. Although this target falls

<sup>2</sup> Harry G. Stoddard, "Zoning Legislation in Massachusetts", April 19, 1971-Appendix II, Chart B: Job Growth, 1960-1969.

short of actual statewide housing need, it matches promise to performance by providing a realistic estimate of how many units can be produced through existing programs. The proposed target of 64,000 low income units is divided as follows:

State	33,500	of which 7,300 are now in process.
Federal	30,500	of which 15,000 are now in process.

Combined state and federal efforts have produced approximately 60,000 low income units since these housing programs were initiated in 1948 and 1937 respectively. Accelerated future production will be made possible by the General Court's recent increased appropriations for low-rent housing construction and rental assistance, as well as \$1 million in interest subsidy funds for the Massachusetts Housing Finance Agency.

A target of 46,000 moderate income units is proposed. With its current \$1 billion dollar bonding authorization, MHFA can subsidize 37,500 moderate-rent units within the next five years. Federal moderate income programs, which have subsidized approximately 2,000 new units per year in Massachusetts over the past five years, will be used largely in conjunction with MHFA construction financing to meet the moderate income target.

*Regional and Local Housing Targets*

The statewide target of 110,000 units of subsidized housing has been tentatively distributed among the 12 regional areas using a formula based on regional population which takes into consideration the number of existing subsidized units in each region. Additional data on income and employment to be made available during the coming year will be used to refine this distribution. For the present, the formula used is

$$\text{Statewide targets} + \frac{\text{Statewide existing units}}{\text{units}} \times \frac{\text{Regional population}}{\text{State population}} - \frac{\text{Existing units in region}}{\text{region}} = \text{Regional targets}$$

An accompanying chart lists the targets for each region. Municipalities which have not joined regional planning agencies have been assigned to the agency in their area for the purpose of local target distribution. Figures on existing subsidized units and those in process

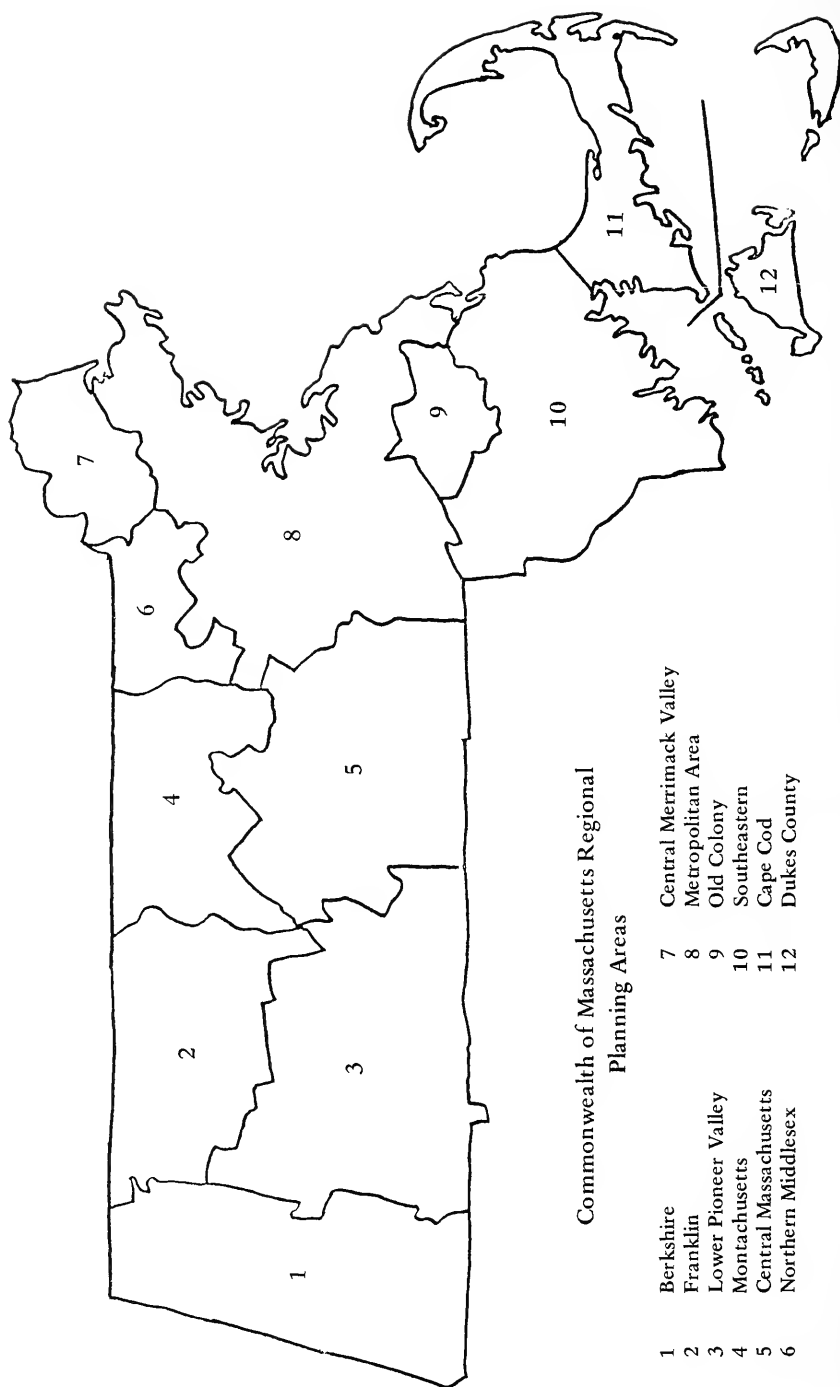
were derived from *State and Federally-Assisted Housing for Low and Moderate-Income Families in Massachusetts*, published by the Department in August 1971. 95,000 of the total target was distributed according to the above formula. Due to the extreme shortage of adequate housing in the Metropolitan Area, well documented by the Metropolitan Area Planning Commission, the remaining 15,000 units have been reserved for this region.

Regional Planning Agencies will, in turn, distribute the regional targets among communities in their jurisdictions based on criteria developed by the Department identifying numbers, types, and locations of needed units. Considerations in determining local five-year targets will include:

- ... Distribution and detailed characteristics of the low income population;
- ... Amount, type, and location of existing subsidized housing;
- ... Amount, type, and rate of growth or decline of employment within the region;
- ... The number of units demolished by public or private action;
- ... Accessibility and availability of transportation;
- ... Distance from employment centers, particularly new or expanding job opportunities;
- ... A community's "ability to pay", measured by per capita and median income, assessed valuation, and tax rate; and
- ... Availability, cost, and suitability of land.

The Department, in its fiscal year 1973 budget and supplementary budget, has requested funds to enable Regional Planning Agencies to carry out this function.

State and federal support is crucial to the implementation of regional and local targets. Housing assistance agencies, including the Department of Community Affairs, the Massachusetts Housing Finance Agency, and the Department of Housing and Urban Development, will be requested to utilize the designated regional and local housing targets as a means for setting their own priorities to ensure that new housing is built where it is most needed. In addition, federal agencies and the State Office of Planning and Program Coordination will be



Commonwealth of Massachusetts Regional  
Planning Areas

- |   |                       |    |                          |
|---|-----------------------|----|--------------------------|
| 1 | Berkshire             | 7  | Central Merrimack Valley |
| 2 | Franklin              | 8  | Metropolitan Area        |
| 3 | Lower Pioneer Valley  | 9  | Old Colony               |
| 4 | Montachusets          | 10 | Southeastern             |
| 5 | Central Massachusetts | 11 | Cape Cod                 |
| 6 | Northern Middlesex    | 12 | Dukes County             |



asked to review all applications from municipalities for state or federal grants-in-aid in light of the community's housing efforts so that those communities already providing housing will receive priority for funds needed to bear related community development costs.

Perhaps most important to the achievement of a rational allocation of housing resources is local cooperation. Each municipality is encouraged to work with its regional planning commission in determining its share of the regional target and in selecting the most appropriate types of housing and their location. While communities should be afforded an opportunity to provide housing consistent with their needs and resources, it is clear that each city and town must begin to meet regional as well as local needs.

*Regional Housing Targets*

*BERKSHIRE*

1970 Population 243,713	Housing Target 6,772
Existing Subsidized Units 800	Units in Process 1,069
Adams	North Ashtord
Alford	New Marlborough
Becket	North Adams
Cheshire	Otis*
Clarksburg	Peru*
Dalton	Pittsfield
Egremont	Richmond
Florida	Sandisfield*
Great Barrington	Savoy*
Hancock*	Sheffield*
Hinsdale	Stockbridge
Lanesborough	Tyningham*
Lee	Washington
Lenox	West Stockbridge
Monterey	Williamstown
Mount Washington	Windsor

\*Non-member municipalities of regional planning areas.

*CAPE COD*

1970 Population 96,656  
Existing Subsidized Units 409

Housing Target 2,595  
Units in Process 471

Barnstable  
Bourne  
Brewster  
Chatham  
Dennis  
Eastham  
Falmouth  
Harwich

Mashpee  
Orleans  
Provincetown  
Sandwich  
Truro  
Wellfleet  
Yarmouth

*CENTRAL MASSACHUSETTS*

1970 Population 440,723  
Existing Subsidized Units 3,424

Housing Target 10,269  
Units in Process 3,176

Auburn  
Barre  
Berlin  
Blackstone  
Bolton  
Brookfield  
Charlton  
Douglass  
Dudley  
East Brookfield  
Grafton  
Hardwick  
Holden  
Hopedale  
Hopkinton\*  
Leicester  
Mendon\*  
Millbury  
Millville  
New Braintree  
North Brookfield

Northborough  
Northbridge  
Oakham  
Oxford  
Paxton  
Princeton  
Rutland  
Shrewsbury  
Southbridge  
Spencer  
Sturbridge  
Sutton  
Upton  
Uxbridge  
Warren  
Webster  
West Boylston  
West Brookfield  
Westborough  
Worcester

\*Non-member municipalities of regional planning areas.

### *CENTRAL MERRIMACK VALLEY*

1970 Population 247,891	Housing Target 4,098
Existing Subsidized Units 3,603	Units in Process 2,454
Amesbury	Methuen
Andover	Newbury*
Boxford*	Newburyport
Georgetown	North Andover
Groveland	Rowley*
Haverhill	Salisbury*
Lawrence	West Newbury*
Merrimack	

### *DUKES COUNTY*

1970 Population 9,891	Housing Target 247
Existing Subsidized Units 0	Units in Process 0
Chilmark	Nantucket*
Edgartown	Oak Bluffs
Gay Head	Tisbury
Gosnold	West Tisbury

### *FRANKLIN*

1970 Population 59,210	Housing Target 1,569
Existing Subsidized Units 271	Units in Process 298
Ashfield	Leyden
Bernardston	Monroe
Buckland	Montague
Charlemont	New Salem
Colrain	Northfield
Conway	Orange
Deerfield	Rowe
Erving	Shelburne
Gill	Shutesbury
Greenfield	Sunderland
Hawley	Warwick
Heath	Wendell
Leverett	Whately

\*Non-member municipalities of regional planning areas.

*LOWER PIONEER VALLEY*

1970 Population 583,031	Housing Target 10,580
Existing Subsidized Units 7,535	Units in Process 4,007
Agawam	Ludlow
Amherst	Middlefield
Belchertown	Monson
Blandford*	Montgomery
Brimfield*	Northampton
Chester	Palmer
Chesterfield	Pelham*
Chicopee	Plainfield
Cummington	Russell
East Longmeadow	South Hadley
East Hampton	Southampton
Goshen	Southwick
Granville	Springfield
Granby*	Tolland
Hadley	Wales*
Hampden	Ware
Hatfield	West Springfield
Holland	Westfield
Holyoke	Westhampton
Huntington	Wilbraham
Longmeadow	Williamsburg
	Worthington

\*Non-member municipalities of regional planning areas.

*METROPOLITAN AREA*

1970 Population 2,996,541

Existing Subsidized Units 55,154

Housing Target 52,943

Units in Process 31,331

Acton	Foxborough	Medway	Sherborn
Arlington	Framingham	Melrose	Somerville
Ashland	Franklin	Middleton	Southborough
Bedford	Gloucester	Milford	Stoneham
Bellingham	Hamilton	Millis	Stoughton
Belmont	Hanover	Milton	Stow
Beverly	Hingham	Nahant	Sudbury
Bolton	Holbrook	Natick	Swampscott
Boston	Holliston	Needham	Topsfield
Boxborough	Hudson	Newton	Wakefield
Braintree	Hull	Norfolk	Walpole
Brookline	Ipswich	North Reading	Waltham
Burlington	Lexington	Norwell	Watertown
Cambridge	Lincoln	Norwood	Wayland
Canton	Littleton	Peabody	Wellesley
Carlisle	Lynn	Quincy	Wenham
Chelsea	Lynnfield	Randolph	Weston
Cohasset	Malden	Reading	Westwood
Concord	Manchester	Revere	Weymouth
Danvers	Marblehead	Rockland	Wilmington
Dedham	Marlborough	Rockport	Winchester
Dover	Marshfield	Salem	Winthrop
Duxbury	Maynard	Saugus	Woburn
Essex	Medfield	Scituate	Wrentham
Everett	Medford	Sharon	

### *MONTACHUSETTS*

1970 Population 174,210	Housing Target 3,949
Existing Subsidized Units 1,463	Units in Process 1,284
Ashburnham	Lunenburg
Ashby	Petersham*
Athol*	Phillipston*
Clinton*	Royalston*
Fitchburg	Shirley
Gardner	Sterling
Hubbardstown	Templeton
Lancaster	Townsend
Leominster	Westminster
	Winchendon

### *NORTHERN MIDDLESEX*

1970 Population 245,967	Housing Target 5,485
Existing Subsidized Units 2,157	Units in Process 1,211
Ayer*	Harvard*
Billerica	Lowell
Chelmsford	Pepperell
Dracut	Tewksbury
Dunstable	Tyngsborough
Groton*	Westford

### *OLD COLONY*

1970 Population 181,091	Housing Target 3,656
Existing Subsidized Units 1,970	Units in Process 2,702
Abington	Halifax*
Avon	Hanson
Bridgewater	Pembroke
Brockton	West Bridgewater
East Bridgewater	Whitman
Easton	

\*Non-member municipalities of regional planning areas.

*SOUTHEASTERN*

1970 Population 504,557

Existing Subsidized Units 7,961

Housing Target 7,715

Units in Process 5,227

Acushnet

Attleboro

Berkeley

Carver

Dartmouth

Dighton

Fall River

Fairhaven

Freetown

Kingston

Lakeville

Mansfield

Marion

Mattapoisett

Middleborough

New Bedford

North Attleboro

Norton

Plainville

Plymouth

Plympton

Raynham

Rehoboth

Rochester

Seekonk

Somerset

Swansea

Taunton

Wareham

Westport

## *II. ALTERNATIVE MANAGEMENT AND OWNERSHIP STRATEGIES FOR PUBLIC HOUSING*

There are clearly many problems associated with public housing in America today. In recent years, management-tenant tensions and their consequences have posed the most serious threat to the quality of life in low-income housing projects. In many cases, insensitive management policies have resulted in negligent and destructive tenant behavior, thus exacerbating the already high costs of maintaining an aging (mostly over 20 years old) and deteriorating public housing stock.

The sources of tension between housing authorities and their tenants are two-fold. First, most housing authorities are caught in a severe financial squeeze which inhibits their ability to adequately maintain their projects and to respond to tenant needs. Failure to adequately repair and renovate projects due to lack of funds and poor administration has sparked understandable dissatisfaction among public housing residents. In addition, the housing authorities' need to collect enough rents to "break even" has meant that rent determinations have been based more on each authority's financial condition than on tenants' incomes. Rising repair and maintenance costs force management to raise rents and to also demand prompt payment, imposing additional hardships on people who can just barely make ends meet. Some tenants, resenting these rent increases and punitive fines and late fees, add to routine repair costs by behaving in a destructive manner, or fail to pay rent and "skip out" of the project after a few months.

A second major source of management-tenant tension is the fact that management must increasingly deal with a tenant population which is considerably different from the "temporarily poor" middle-class public housing residents of the 1940's. While a considerable proportion of Massachusetts' veterans' housing is inhabited by long-term tenants of this earlier era, the newer tenant population includes high proportions of Blacks, Spanish-speaking persons, welfare recipients, and families suffering from a variety of personal and social problems. Insensitivity of many old-line management personnel to their changing constituencies has produced much tenant distrust and suspicion.



Fortunately, tenant discontent has not expressed itself solely through destructive behavior. Within the past few years, a number of active tenant organizations have pressed for constructive reform of public housing management. Tenants in Massachusetts have secured health services for their projects, negotiated new leases, planned federally-funded Modernization programs, allied themselves in a state-wide organization and gained considerable expertise concerning management issues. One Boston group, an OEO-funded Tenant Management Corporation, is the only tenant organization in the country legally authorized to perform major public housing management functions.

As tenants increasingly demand a voice in management decisions which affect their daily lives, it becomes clear that successful change in the management of public housing can only be achieved if tenants become primary decision-makers. The benefits of meaningful tenant involvement in the management and, where feasible, the ownership of public housing are several. Development of individual abilities and leadership skills through democratic participation, creation of a sense of community, and reduction of tenant-management hostility represent substantial contributions to the quality of life in public housing projects. In addition to these tangible benefits, tenant participation in management or ownership decisions engenders pride which can materially improve public housing conditions. Experience with the federal Modernization program suggests that meaningful tenant involvement results in better maintenance and repair services, more equitable rent schedules, improved social services and recreational opportunities, and progressive occupancy and eligibility policies. Pressure by tenant councils or tenant cooperatives has, in a number of cases, minimized non-payment of rent and destructive behavior. Furthermore, extensive studies of low-rent properties have shown that resident ownership is the key factor which distinguishes well-maintained from deteriorating housing.

Moreover, two additional benefits would accrue from the ownership approach: housing authorities would be relieved of the administrative burden of managing units turned over to alternative tenant-controlled management or ownership auspices; and secondly, com-

munities containing public housing would benefit from the impact of revitalized projects on the surrounding neighborhood and from increased property taxes where ownership is assumed by tenants or tenant organizations.

Two major state-aided public housing programs, Chapter 200 (veterans' housing) and Chapter 705 (scattered-site, large-family housing) provide unusually favorable settings for experimentation with alternative management and ownership strategies. Chapter 200 projects, built in the late 1940's and early 1950's, consist largely of row-type construction containing an average of only four units per building, with the remaining structures comprised of small apartment buildings and approximately 900 single-family units and duplexes suitable for individual ownership. Under existing laws, Chapter 200 structures can be sold for a price equal to existing bond obligations. In the case of substantially amortized projects, the price would be quite reasonable. Chapter 705 housing, with over 400 units now in process, will consist exclusively of small structures integrated with the surrounding community.

Five types of mechanisms exist through which tenants of state-aided public housing might assume an active management and/or ownership role. It must be remembered, however, that not all tenants desire or have the ability to acquire ownership or management. Judicious use of professional management personnel and assurance of adequate financing for the affected units are essential to the success of all of the following models.

1. *Tenant Contract Management*: Tenant groups could be given formal contracts, with compensation, to conduct various management tasks such as maintenance, social service, recreation, and physical security, or to assume all management functions including financial and property management. In the latter case, a tenant management corporation is usually formed as a legal entity. Alternatively, a tenant organization and an experienced non-profit housing group could together form a management entity to enter into contractual agreements with a housing authority. The tenant association or corporation would have administrative control over its assigned tasks, hire and supervise its

own staff, and establish conditions of employment. The local housing authority would exercise a review, monitoring, and post-audit function.

2. *Non-Profit Private Ownership and Management:* Existing Chapter 200 units whose mortgages have been substantially amortized might be sold at moderate prices to non-profit housing corporations for renovation and management. Since rehabilitation of these units would necessarily increase rents, rent supplement and leased housing commitments would have to be sought from the local housing authority. Under this model, tenants would be involved in policy matters like selection, eviction, and rent-setting procedures, but would not be in a position of complete control.
3. *Cooperative Ownership:* In a cooperative housing venture, each tenant owns a share of a non-profit corporation, pays a monthly mortgage and maintenance fee, and participates in the management of the housing. Thus tenants gain not only the experience of owning a portion of a housing project but also the tax advantages of homeownership. It is important to note, however, that low and moderate-income tenants unfamiliar with property maintenance need capable assistance in such an endeavor. Professional management firms and/or management training for tenants is one possible approach. A second, more reliable strategy is to form a tenant cooperative in partnership with a non-profit or limited profit corporation of experienced developers or managers; the tenant co-op may or may not have control, depending upon whether it owns fifty one percent of the shares. Development and rehabilitation financing for a cooperative can be secured in part from the cash derived from sale of shares and, in the case of partnership with a limited-dividend corporation, from sale of tax depreciation benefits.
4. *Condominium Ownership:* Under a condominium plan each tenant owns his dwelling unit as a separate entity and pays a monthly fee for upkeep of common grounds and facilities. Condominium ownership has historically been too expensive for low and moderate-income groups. The extent of rehabilitation necessary to make Chapter 200 housing sufficiently attractive for sale may

put the purchase price and required downpayment beyond the reach of nearly all public housing tenants. Nor does there exist at present any homeownership assistance programs which offer low-interest downpayment loans for condominium purchase. Moreover, condominium living requires a high degree of individual responsibility regarding property maintenance, since each member is an owner and cannot be removed or easily influenced by group pressures. For these reasons, condominium ownership is probably less suitable as an initial conversion strategy for public housing than the other ownership forms discussed above. Residents who have gained housing management experience through tenant management and/or cooperative ownership over a period of years might then be capable of assuming condominium ownership if appropriate financing mechanisms are devised.

5. *Individual Ownership:* Chapter 200 single-family units and duplexes as well as detached units to be developed under Chapter 705 might be purchased by tenants through a variety of techniques. As noted above, existing veterans' units can be sold at a below market price as long as bonding obligations are met by the selling price. While Chapter 200 dwellings sold in this fashion require some rehabilitation, the single-family homes in the program are generally in better condition than multiple dwellings due to better tenant self-maintenance and lower project densities. Individual mortgages would thus be feasible if the federal 235 program, MHFA's resident ownership program, or private groups like the Association for Better Housing, Inc. provided low or zero-interest downpayment loans to be amortized during the first few years of the mortgage. Local housing authorities could further reduce purchase costs by leasing land occupied by a dwelling to the owner for the life of the mortgage at a nominal fee, and reserving the right to resell the homes to another low-income person under the same lease conditions.

Significant elements of the above proposals can be carried under present legislative mandates and the powers of the Department of Community Affairs. Chapter 121B provides that public housing pro-

jects or parts of projects can be sold for a price equal to bonding obligations, and a number of Chapter 200 home have already been sold to veteran-occupants in this fashion. In addition, housing authorities are authorized to delegate management functions by contract. Appended legislation strengthens these provisions by:

- a. specifically authorizing housing authorities to provide homeownership opportunities;
- b. eliminating certain restrictions on the sale of public housing structures;
- c. providing for the sale of public housing to tenant organizations and non-profit or limited-profit groups as well as to individual tenants; and
- d. providing for land leases or covenants running with the land to allow housing authorities to resell dwellings to other low-income persons.

If public housing is to offer low-income citizens a better living environment in the broadest sense, the Commonwealth must emphatically recognize the right of those living in public housing to influence the management decisions which affect their lives. The Department believes that the management and ownership alternatives outlined above represent a feasible and appropriate manner of implementing such a policy.

### *III. INSTITUTE FOR HOUSING MANAGEMENT*

Multi-family housing construction has increased dramatically in the past decade. In Massachusetts, between 1960 and 1970, the proportion of newly-constructed housing units in apartment structures containing five or more units as opposed to the more traditional one to four-unit buildings rose from sixteen to sixty-two percent. This dramatic increase in the construction of apartments foreshadows a revolution in living patterns. The single family detached home is becoming the exception rather than the standard living pattern.

Moreover, the accelerating shift to multi-family living is taking place in the context of a serious shortage in both the quality and quantity of housing management personnel. The lack of qualified personnel extends to both the private and publicly assisted housing markets. Property managers trained in the conventional market have particular difficulties dealing with publicly-subsidized housing and low income tenants. Community-based, non-profit housing developers lack basic management skills and knowledge. A number of recently-constructed, publicly-assisted housing structures are already beginning to deteriorate as a result of poor management. DCA research indicates that an estimated 2,167 new management personnel will be needed by 1974.

In recognition of this impending crisis in housing management, the Department of Community Affairs has taken steps to establish an Institute for Housing Management. The Department has requested funds in its fiscal 1973 budget to initiate such an Institute, and is currently exploring the possibility of a joint endeavor of this sort with the University of Massachusetts-Boston. The purpose of such an Institute would be three-fold; (1) continuing research into new patterns of multi-family living; (2) the training of management personnel at both the professional and paraprofessional levels; and (3) the development of a job placement program for graduates of the Institute. If located in the University's College of Public and Community Service, the Institute would represent one of the few such efforts in the nation.

A housing management curriculum would be developed around a core of public administration and management courses to be taught in the College. Special courses in areas such as housing marketing,

rental procedures, maintenance, and tenant-management relations, would accommodate the various needs of full-time students, inner-city community residents, and conventional property managers.

*TRENDS IN MULTI-UNIT CONSTRUCTION IN MASSACHUSETTS*

<i>Year</i>	<i>Total Units</i>	<i>Total Units in structures of 5 or more units</i>	<i>% of total units in structures of 5 or more units</i>
1960	21,962	3,483	15.8
1961	24,579	6,542	26.6
1962	26,236	8,127	31.0
1963	28,094	9,588	34.1
1964	35,016	15,277	43.6
1965	31,531	11,197	35.5
1966	25,622	9,239	36.0
1967	28,286	12,039	42.5
1968	37,985	20,041	52.7
1969	34,781	18,518	53.2
1970	40,090	24,784	61.8

Source: Commonwealth of Massachusetts, Department of Labor and Industry, *Summary of Building Permit Activity*, by year 1960-1970.

On-the-job training slots and permanent job placement would be sought in both private and subsidized housing. One of the Institute's objectives will be to develop new paraprofessional positions that fill the gap between managers and routine maintenance personnel. Such new jobs might include tenants relations representatives and on-site office personnel. The Massachusetts Housing Finance Agency programs, which require applicants for funds to demonstrate adequate capacity to manage proposed buildings, might be one possible source of job placement opportunities.

The construction of new housing is essential if each of our citizens is to be assured decent housing within his financial means; in this area, the Commonwealth has a unique and enviable record. However, good management is also crucial to the creation of a safe and comfortable living environment. The Department believes that the proposed Housing Management Institute can assist in achieving this goal.

#### *IV. CONVERSION OF HOUSING AND REDEVELOPMENT AUTHORITIES TO LINE AGENCIES*

Currently, housing and redevelopment authorities are independent units of government, created by an act of the General Court. Four of the five members of their governing boards are appointed for staggered five-year terms by the mayor (in the case of cities) or elected by town voters. Their operations are not financed by municipal revenues, but rather by state and federal grants, land sales, rents, and the issuance of bonds which do not require voter approval. Thus, housing and redevelopment authorities are directly responsible neither to municipal chief executives nor, in the case of appointed authorities, to the public for their activities.

Although originally designed to serve as a vehicle to expedite public housing construction and to avoid restrictive local debt limitations, independent housing and redevelopment authorities frequently lack the capacity for dealing with complex community development problems.

First, the authorities have become increasingly unresponsive to the needs of client groups, such as public housing tenants, low income persons, and neighborhood residents, whom they are intended to serve. Interested groups have limited means of affecting the actions of appointed authorities that cannot be held accountable through the electoral process. Nor can they effectively influence elected authorities, whose narrow mandate removes them from the political mainstream and hence from the kinds of bargaining and compromise possible in the context of a broad range of municipal issues.

Second, independent authorities have exacerbated the fragmentation of local government, hampering coherent community development policies and plans. The city or town chief executive has varying degrees of responsibility for functions relating to community development, but no real authority over public housing and urban renewal activities. Thus he is unable to promote coherent municipal development or to coordinate existing programs and services.

Finally, there is reason to believe that the creation of independent authorities actually increases local government costs through the duplication of administrative overhead.



Appended legislation would allow municipalities the option of alleviating these problems by reorganizing housing and redevelopment authorities into line departments directly responsible to elected local officials. Under this option, a single-member authority would serve at the pleasure of either the mayor in the case of cities or the board of selectmen in the case of towns. Municipalities could also choose to combine their housing and redevelopment functions into a single department.

Under such a system, elected local officials would have clear responsibility for coordinating community development activities and plans. Moreover, citizens affected by and interested in community development actions could more easily direct their requests and recommendations to officials possessing both public accountability and comprehensive authority over community development functions. Such a reform comprises an important step towards enhancing the capacity of local government to deal effectively and responsively with critical housing needs.

## *V. ABANDONMENT*

In recent years, widespread abandonment of housing has affected almost all of the nation's major cities. In Boston alone, 1300 abandoned residential units awaited demolition in mid 1970. While the problem of abandonment is most visible and has attracted the most attention in large cities, many medium-sized cities face this problem as well. The Department of Community Affairs, in a recent survey of Commonwealth cities and towns with populations over 25,000, found that Lawrence has over 200 abandoned buildings; Lowell, 90; Haverhill, 50; and Holyoke, Peabody, and New Bedford, over 20 buildings respectively.

Abandonment constitutes a major problem not only because it diminishes the supply of low-income housing, but also because such buildings drain city finances. Usually they have fallen into tax arrears, and the city is forced to pay for foreclosure, boarding up, and demolition. Abandoned buildings account for a highly disproportionate share of structural fires. They contribute to the crime problem by serving as havens for criminals and drug addicts, and the blighting effect of one empty building on the surrounding area produces additional social costs to the community. Studies have indicated that although neighborhood dwellings may be in fair condition, once a building is abandoned, the remaining buildings deteriorate rapidly.

A basic cause of abandonment is the inability of property-owners, due to inflated operating costs and limited rent-paying ability on the part of low income tenants, to pay for major repairs necessary for aging inner-city buildings. Previous neglect and vandalism add to the cost of needed improvements. Also, rental income alone, in most instances, is not sufficient to satisfy the renovation requirements of local building codes. Delays in downward tax reassessments place a disproportionate tax burden on deteriorating properties, further reducing the availability of funds for repairs.

Compounding these financial difficulties is the fact that property owners face extreme difficulties in obtaining loans to make needed renovations. One reason for this is a general lack of confidence in neighborhoods undergoing socio-economic and racial changes, thus causing lending institutions to refuse to grant mortgages or rehabilita-

tion loans. The individual property owner under such circumstances begins to minimize losses by cutting down on maintenance services; eventually, he decides not to pay property taxes.

What is clear is that abandonment frequently is not a consequence of the "filtering down" process whereby new additions to the housing stock permit everyone to move up to better accommodations. In many cities, buildings are being abandoned faster than the rate of new construction. Moreover, because abandonment is highly contagious, standard units as well as substandard ones are being abandoned.

Existing government programs to prevent or halt abandonment have for the most part dealt ineffectively with the basic problem: the economic situation in declining neighborhoods which deters increased investment by property owners. In most cities and towns, health and safety codes are inadequate tools for preventing deterioration, being inefficiently administered and difficult to enforce through existing court procedures. Ironically, strict code enforcement may indeed encourage abandonment by owners who cannot afford further repairs.

Rehabilitation of either deteriorating or already abandoned buildings has proven time-consuming, difficult, and prohibitively expensive. Federal rehabilitation loans and grants are limited to government project areas and require a degree of rehabilitation exceeding the rent-paying ability of low income tenants in spite of liberal FHA financing. A number of cities have experimented with tax incentives for property owners who initiate rehabilitative procedures on their property. However, unless rehabilitation loans are made available, tax exemptions and abatements will not suffice. In addition, tax exemptions are untenable in most cities where tax bases continue to subside. In the final analysis, tax exemptions and rebates will merely necessitate an increase in tax rates throughout the municipality, thereby further weakening the urban real estate market.

In spite of these difficulties, a number of housing sponsors are involved in efforts to rehabilitate abandoned dwellings. For example, Camden, New Jersey group of corporations and banks buy vacant houses, completely renovates them, and sells them to low income families with the help of federal interest subsidy; more than 280 families have moved into once-empty row houses. Baltimore, under a \$20

million HUD grant, is buying 1400 abandoned houses to rehabilitate either for sale or public housing rental. Philadelphia's Housing Authority purchases rehabilitated, formerly vacant properties from developers at a predetermined purchase price. Another Philadelphia group buys vacant properties and has sold over 250 rehabilitated homes.

Even where willing sponsors and funds are available, rehabilitation of abandoned buildings is possible only if the city can acquire properties and transfer them to developers before fires and vandalism have rendered them unsalvageable. The traditional method of acquisition is foreclosure of tax delinquent properties. Under present foreclosure proceedings in Massachusetts, four to seven years may elapse before the city can acquire title. If the building has been unoccupied for only a portion of that time, it usually must be demolished. However, state legislation can assist in remedying this situation.

The General Court last year passed legislation which reduces the present two-year redemption period before foreclosure of the tax lien to six months. To further expedite the ability of municipalities to acquire abandoned buildings, legislation is appended which would: (1) allow a municipality to petition for immediate foreclosure of a building certified as abandoned by the city or town treasurer, (2) allow an individual who has purchased a tax-delinquent property to petition for foreclosure within six months of the sale, and (3) allow voluntary transfers of unwanted property to municipalities by property owners.

## *VI. SYSTEMS BUILDING*

Research indicates that construction costs of state-aided elderly housing projects have risen 20 - 30% in the last two years. Over the last several years, building costs in the elderly housing program have risen an average of one thousand dollars a unit per year. Thus, the hundred million dollars that could build 8,000 - 8,500 units of elderly housing in the early sixties can now build only 5,000 to 6,000 units. The state elderly housing program, which to date has provided 14,000 housing units for elderly citizens, is no longer competitive with a similar federal Turnkey program.

As noted in a previous section, the Commonwealth has an unmatched record among states in providing housing for elderly and low income citizens. However, the restrictive nature of the present competitive bidding statute may force Massachusetts to phase out these vital housing programs because of rapidly escalating construction costs.

Chapter 149 of the General Laws, which requires filed subbids in 17 categories on all state publicly financed construction, precludes the use of new technologies which provide both time and cost savings in housing construction. Appended legislation, first submitted by the Department last year, would enable new industrialized techniques of housing construction to compete with conventional methods by allowing bidding in a reduced number of functional categories. The proposed systems construction bill will help stabilize the costs of state-aided housing programs in the following ways:

1. By aggregating a large market of state public housing, the Department will be able to achieve significant savings through bulk purchasing of components and materials;
2. By maintaining competitive bidding, the Commonwealth will encourage the building industry to develop and utilize the most efficient, economic and highest quality construction materials and techniques;
3. A two-step bidding procedure under the proposed legislation requires a level of communication within the building industry which does not presently exist. This enhanced communication

will help reduce construction time, on-site labor costs, wastage of materials, and construction finance charges;

4. Maintenance costs will also be reduced because of the high quality of construction demanded by proposed performance specifications. Components in each building category can be systematically repaired or replaced, minimizing overall deterioration and extending the life of a building.

The proposed legislation provides an exemption from Sections 44A to 44L of Chapter 149, the present competitive bidding statute, but nonetheless retains a competitive bidding process for the open systems program in order to ensure protection of the public interest. Sections of Chapter 149 which require payment of the prevailing wage are specifically retained. The bill also provides a new mechanism which will enable the Department to offer greater assistance to local housing authorities during the construction process. The enactment of this legislation would strengthen both existing and future state-aided elderly and low-income family housing programs. To provide additional resources for future systems construction under this act, Appendix E provides for increased bonding authorizations for family and elderly housing. This increased bonding authorization, coupled with enactment of the proposed legislation, will allow the state to provide additional housing of a higher quality for low income families and the elderly.

# **APPENDIX A**

# **The Commonwealth of Massachusetts**

**IN THE YEAR**

**ONE THOUSAND NINE HUNDRED AND SEVENTY-TWO**

## **AN ACT PROVIDING HOMEOWNERSHIP OPPORTUNITIES FOR FAMILIES OF LOW-INCOME**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** Section 26 of Chapter 121B of the General Laws, as inserted by Chapter 751 of the Acts of 1969, is hereby amended by adding the following subsections after subsection (i):

“(j) to provide homeownership opportunities for low income families.”

“(k) a housing authority which has undertaken housing shall have the power to lease or sell dwellings erected or acquired by it, and, in case of sale, to impose such covenant, which shall run with the land if the housing authority so stipulates, regarding the land and the building thereon as it deems necessary to carry out the purposes of this Chapter. In case of lease, the lessee shall have the option to purchase such house at any time during his occupancy thereof at a price equal to the amount of existing note or bond obligations at the time of purchase. In the case of tenants currently holding under an existing lease, upon such termination of said lease there shall be included in all subsequent leases a provision giving said tenants the option to purchase said property under the terms specified in this section. Until a purchaser makes full payment for a house constructed by a housing authority under this subsection the title to such house shall remain in the housing authority regardless of ownership of the land.”

**SECTION 2.** Section 27 of Chapter 121B of the General Laws, as inserted by Chapter 751 of the Acts of 1969, is hereby amended by deleting subsections (iii) and (iv) and renumbering subsection (v) as (iii) and subsection (vi) as (iv).

**SECTION 3.** Section 31 of Chapter 121B of the General Laws, as



inserted by Chapter 751 of the Acts of 1969, is hereby amended by adding the following to subsection (a) (ii):

“... or has made arrangements to sell the units to low-income families or to a non-profit or limited-profit corporation whose purpose is to provide housing for low-income families.”

**SECTION 4.** Section 34 of Chapter 121B of the General Laws, as inserted by Chapter 751 of the Acts of 1969, is hereby amended by deleting the first four lines of the third paragraph of said section beginning with the word “after” and ending with the word “town”. Section 34 of said Chapter 121B is hereby further amended by deleting paragraph (e) of section 34 and substituting the following:

“(e) Any type of housing including one, two and three family dwellings may be constructed under this section notwithstanding the provision that each project shall conform as nearly as possible to the existing published requirements of the federal government for low-rent or other housing projects. In offering for sale residences constructed under this section, preference to potential buyers shall be given whenever reasonably possible as follows: - (1) veterans tenants of such residents; (2) other tenants of such residences; (3) all other World War II veterans, as defined in section seven of chapter four, who are of low income; (4) surviving widows and mothers of said veterans of World War II, who are of low income; (5) all other United States war veterans of low income; (6) organizations comprised of tenants of such residences and/or non-profit corporations and/or limited-profit corporations; (7) all other low-income citizens of the commonwealth; (8) an urban development corporation; and (9) all others. In the event that any tenants are displaced by sales made under the provisions of this section, the housing authority shall relocate said tenants in suitable low-rent housing.”



## **APPENDIX B**

**The Commonwealth of Massachusetts**  
**IN THE YEAR**  
**ONE THOUSAND NINE HUNDRED AND SEVENTY-TWO**

**AN ACT PERMITTING THE REORGANIZATION OF  
HOUSING AND REDEVELOPMENT AUTHORITIES FROM A  
FIVE-MEMBER BOARD TO A SINGLE MEMBER AUTHORITY AS  
AN ALTERNATIVE AND ENABLING THE CREATION OF  
A COMBINED HOUSING AND REDEVELOPMENT AUTHORITY.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** Section 3 of Chapter 121B of the General Laws, as inserted by Chapter 751 of the Acts of 1969, is hereby amended by adding the following to the last paragraph of said section 3:

“In the case of a single member authority, whenever said authority determines that there is no further need for its existence, that it has no property to administer, and that all outstanding obligations of the authority have been satisfied, it may submit the question of its dissolution, in a town, to the voters at an annual town meeting or, in a city, to the municipal officers.

Any city or town may, with the approval of their municipal officers or in the case of a town, the voters at an annual or special town meeting and with the approval of the Department of Community Affairs abolish the existing structure of either the Housing or Redevelopment authorities or both and substitute therefor a single member authority as provided in section five. Such single member authority shall assume the obligations of the authority or authorities so abolished and shall function in accordance with the provisions to section five.”

**SECTION 2.** Section 4 of Chapter 121B of the General Laws, as inserted by Chapter 751 of the Acts of 1969, is hereby amended by adding the following to the last paragraph of said section 4:

“In the case of a single member redevelopment authority, whenever said authority determines that there is no further need for its existence, that it has no property to administer, and that all outstand-

ing obligations of the authority have been satisfied, it may submit the question of its dissolution, in a town, to the voters at an annual town meeting or, in a city, to the municipal officers.”

**SECTION 3.** Section 5 of Chapter 121B, as inserted by Chapter 751 of the Acts of 1969, is hereby amended by striking out the first paragraph of said section and inserting in lieu thereof the following paragraph:

“Every housing and redevelopment authority shall be managed, controlled and governed either by a board of five members or by a single member, appointed or elected as provided in this section.”

Said Section 5 of Chapter 121B is hereby further amended by inserting the following after the last paragraph of said section:

“The following provisions shall apply to single-member operating agencies:

In a city, the single member shall be appointed in a manner provided for the appointment of all other department heads in the city charter.

In a town, the single member shall be appointed by the board of selectmen to serve at the pleasure of the selectmen.

Whenever any provision of law shall permit or require the vote of an operating agency, a writing signed by the single member or a person designated by him under section seven and entered in the records of the agency shall be deemed the equivalent of such a vote.

Any city or town may by ordinance or by-law establish an unpaid advisory committee of such size and composition and having such duties as it may determine, but no such advisory committee shall have any of the powers of the operating agency.

The following provisions shall apply to members of all operating agencies:

Eligibility for membership in an operating agency shall not be restricted to residents of the city or town.

Whenever a member is appointed or elected for a stated term, any vacancy other than by reason of the expiration of the term shall be filled for the balance of the unexpired term in the same

manner as an original appointment, except that the term of an elected member in a town shall be filled in accordance with the provisions of section eleven of chapter forty-one. Any member whose term has expired shall serve until the qualification of his successor.

No member may serve as the member of another operating agency in the same city or town and no member may serve as a member of an operating agency or agencies in other cities or towns. No mayor, city councillor, or selectman shall serve as the single member of a single-member operating agency. As soon as possible after the qualification of the member of a housing or redevelopment authority, the city or town clerk, as the case may be shall file a certificate of such appointment, or of such appointment and election, as the case may be, with the department, and a duplicate thereof, in either case, in the office of the secretary of state. If the secretary of state finds that the housing or redevelopment authority has been organized and the member thereof elected or appointed according to law, he shall issue to it a certificate of organization which shall be conclusive evidence of the lawful organization of the authority and of the election or appointment of the member thereof. If the secretary of state finds that method of selection or term of the member of an authority has been changed and the member elected or appointed according to law, he shall issue to it a certificate of amendment which shall be conclusive evidence that the change is lawful and the member has been lawfully appointed or elected for the appropriate term.

Whenever the membership of an authority is changed by appointment, election, resignation or removal, a certificate and duplicate certificate to that effect shall be promptly so filed. A certificate so filed shall be conclusive evidence of the change in membership of the authority referred to therein."

**SECTION 4.** Section 6 of said chapter 121B is hereby amended by adding the following paragraph after the last paragraph of said section:

"Any member of a housing or redevelopment authority serving at

the pleasure of the mayor, city manager or selectmen may be removed without cause or hearing by a writing signed by the mayor, manager, or selectmen, as the case may be, and filed with the city or town clerk.”

**SECTION 5.** Section 7 of said chapter 121B is hereby amended by adding the following after the last paragraph of said section:

The following provisions apply to single member authorities:

... The member of a single-member operating agency shall serve as the chief executive officer of such agency and may employ counsel and such other officers, agents and employees as he deems necessary or proper, shall determine their qualifications, duties and compensation, and may delegate to one or more of such officers, agent or employees such powers and duties as he deems necessary or proper for the carrying out of any action determined upon by him. He shall cause a record of all corporate actions taken and decisions made by him to be kept in the office of the authority. He shall designate at least one officer, agent or employee of the authority or of the city or town who shall be authorized to act for the authority whenever necessary or convenient. Such designation and any amendments thereto shall be filed with the offices of the city or town clerk, the department and the state secretary and the authority of any person named in a designation filed with the state secretary to act on behalf of the operating agency shall be conclusively presumed without inquiry into the necessity or convenience of such action.

So far as practicable, an authority shall make use of the services of the agencies, officers and employees of the city or town in which such agency is organized, and such city or town shall, if requested, make available such services.

The compensation of the single member of a single-member operating agency shall be fixed by the city council of a city or by vote of a town. Members of all authorities shall be allowed, or be reimbursed for, all expenses properly incurred by them within or without the city or town in the discharge of their duties. Such expenses shall be allocated by the operating agency among its various projects in such manner and amounts as it deems proper.

For the purposes of chapter two hundred and sixty-eight A, each

authority shall be considered a municipal agency and, without limiting the power of city council or board of aldermen or board of selectmen to classify additional special municipal employees pursuant to said chapter, each member of any advisory committee for a single-member agency and any person who performs professional services for any such agency on a part-time, intermittent or consultant basis, such as those of architect, attorney, engineer, planner, or construction, financial and real estate or traffic expert, shall be considered a special municipal officer."

**SECTION 6.** Subdivision (d) of section 11 of said chapter 121B, as appearing in chapter 751 of the acts of 1969, is hereby amended by adding the following to the end of said subdivision:

"Except as herein otherwise provided, the provisions of chapters seventy-nine and eighty A relative to counties, cities, towns, and districts, so far as pertinent, shall apply to operating agencies, and the member of a housing or redevelopment authority shall act on its behalf under those chapters."

**SECTION 7.** Section 18 of said chapter 121B is hereby amended by inserting between the words "occupancy of buildings and improvements," and "and the provision and repair of streets," the following: "a low-rent housing project."

**SECTION 8.** Section 4 of Chapter 121B, as inserted by Chapter 751 of the Acts of 1969, is hereby amended by adding at the end thereof a new section 4A as follows:

"Section 4A - Any City or Town may, with the approval of their respective municipal officers or town meeting and of the Department of Community Affairs, create by a contract subject to the approval of the Department of Community Affairs, a combined housing and redevelopment authority, with all of the powers of the constituent authorities, to act in place thereof, of the existing housing and redevelopment authorities, if any. Such contract shall set forth the rights, powers and obligations of the combined housing and redevelopment authority, shall assure that the combined authority assumes the obligations of the existing authorities, shall dissolve the existing authorities, and shall provide for a procedure for dissolution of the combined authority at such time that a combined authority is no longer needed."



## **APPENDIX C**

IN THE YEAR  
ONE THOUSAND NINE HUNDRED AND SEVENTY-TWO

AN ACT PROVIDING FOR THE IMMEDIATE FORECLOSURE  
OF THE OWNER'S RIGHT OF REDEMPTION ON PROPERTY IN  
TAX TITLE UPON THE FINDING BY THE TREASURER THAT  
SUCH PROPERTY IS ABANDONED OR UPON CONSENT OF THE  
OWNER AND FOR THE SHORTENING OF  
THE REDEMPTION PERIOD.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** Chapter 60, Section 1 of the General Laws, as amended by Chapter 34§ 1 of the Acts of 1943, is amended by including the following definition before "collector":

"Abandoned Property" is property that is vacant and is neither sealed nor continuously guarded and has been vacant for a period of at least sixty days or was ordered vacated on the ground that the premises were dangerous, unsafe, or unfit for human habitation or when a landlord no longer provides services to an occupied building and allows taxes and mortgages to go unpaid. "Vacant" for the purposes of this section shall mean without lawful occupants.

**SECTION 2.** Chapter 60 of Section 79, as amended by chapter 157 of the acts of 1968, is amended by deleting the words "two years" in the first sentence of the first paragraph and by adding in its place the following: "six months".

Said Section 79 is hereby further amended by adding the words, "abandoned property or ...", after the word, "are" in the third sentence of paragraph 1.

**SECTION 3.** Chapter 60 of the General Laws is amended by inserting after section 80 the following new section:

Section 81A. Whenever a city or town shall have purchased or taken land for nonpayment of taxes under sections forty-three or fifty-three, respectively, the Treasurer of said city or town, im-

mediately upon being informed that the principal building located thereon is unoccupied or that such land is vacant, shall make an inspection thereof and based on such inspection shall determine whether such building is unused or an abandoned property or whether such land is vacant. If the Treasurer finds that such building is unused or an abandoned property, or that such land is vacant, he shall bring a petition in the land court pursuant to section sixty-five for the foreclosure of all rights of redemption of said land.

- (1) this act shall apply to all properties taken or purchased by a city or town for non-payment of taxes, whether taken or purchased before, on or after its effective date.
- (2) this act shall apply to all properties upon which taxes, assessments and charges are due and owing or which have been or may be purchased or taken for non-payment of taxes, whether such status exists or such action is taken on, before or after its effective date.

**SECTION 4.** Section 65 of chapter 60 of the General Laws as appearing in chapter 305 of the acts of 1938, is hereby amended by striking out the first sentence and substituting therefor the following sentence:

“Except as provided in section sixty-two, whoever then holds the title to land acquired by a sale or taking for taxes may bring a petition in the land court for the foreclosure of all rights of redemption of said land either (i) after six months from the sale or taking, or (ii) in case of a city or town, at any time following the sale or taking if the treasurer of the city or town determines pursuant to section eighty-one A that the principal building thereon is unused and abandoned or that the land is vacant. (iii) In any event, a petition for the foreclosure of all rights of redemption may be filed at any time following the consent (in writing) of the record owner.”

**SECTION 5.** Section 45 of said chapter 60, as most recently amended by section 1 of chapter 339 of the acts of 1938, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: “No sale hereafter made shall give to the purchaser any right to possession of the land until the right of redemption is foreclosed, as hereinafter provided.”



## **APPENDIX D**

# **The Commonwealth of Massachusetts**

**IN THE YEAR**

**ONE THOUSAND NINE HUNDRED AND SEVENTY-TWO**

## **AN ACT EXPEDITING PUBLIC HOUSING CONSTRUCTION IN THE COMMONWEALTH**

WHEREAS, The deferred operation of this act would tend to defeat its purpose, which is to remedy the crisis forthwith in housing engendered by the rising costs of providing a sufficient supply of decent, safe and sanitary housing and a suitable living environment for the elderly and for low income families in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience and welfare.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 23B the following chapter:

### **CHAPTER 23C.**

#### **PUBLIC HOUSING CONSTRUCTION.**

*Section 1.* As used in this chapter the following words and phrases shall have the following meanings unless a contrary intent is clearly indicated:

“Awarding authority”, the department of community affairs;

“Commissioner”, the commissioner of the department of community affairs.

*Section 2.* Notwithstanding the provisions of chapters twenty-three B and one hundred and twenty-one B, where one or more local housing authorities have agreed to participate with the awarding authority in the aggregation of a market of sufficient size to effect economies of scale, the awarding authority shall have the power:

(a) to make a finding that new building materials, methods or technologies are available which are likely to stabilize or reduce construction costs of quality housing, effect substantial time savings in said construction and preserve competition; the finding referred to in

this section shall be made after reasonable investigation and shall be stated in writing in the public records of the awarding authority or promptly given in writing by the awarding authority to anyone making a written request therefor;

(b) to enter into a contract or contracts with persons for the construction, reconstruction, alteration or repair of housing units for and on behalf of participating local housing authorities, in accordance with the provisions of this chapter; the provisions of sections forty-four A to forty-four L of chapter one hundred and forty-nine and the provisions of section thirty-nine M of chapter thirty shall not apply to the award of such contracts. However, sections twenty-six, twenty-seven, twenty-seven B, twenty-seven C, twenty-seven D, twenty-eight and twenty-nine of chapter one hundred and forty-nine relating to public employment and the payment of the prevailing wage shall specifically apply to this chapter, and the commissioner of labor and industries shall be responsible for the enforcement thereof. Contracts for the construction, reconstruction, alteration or repair of housing units shall include, without limitation, contracts involving one or more developments, buildings or component parts of one or more buildings on one or more locations or sites, and contracts for the performance of work or services or for the placing or furnishing of materials upon or in respect of such construction.

(c) to supervise implementation of all construction contracts and all construction provided for under this section, and by regulations, promulgated by the commissioner from time to time, require, do perform and carry out all things necessary to implement this chapter.

*Section 3.* To advise the department in the discharge of its duties as set out in this chapter, there shall be a committee to expedite public housing construction which shall consist of the commissioner who shall be the chairman and eight members to be appointed by the commissioner of whom one shall be a tenant in a state-aided public housing project, one shall be a member of a local housing authority, one shall be a representative of labor from the building and construction trades, one shall be a representative of the general contractors, one shall be an architect registered in the commonwealth, one shall be a representative of the sub-contractors, one shall be a mayor and one

shall be a member of the advisory committee on community affairs.

The members of the committee to expedite public housing construction established by this section shall serve at the pleasure of the commissioner and shall not be subject to the provisions of chapter thirty-one or section nine A of chapter thirty. The members of the committee to expedite public housing construction shall receive reasonable compensation for their services, and may be reimbursed for their expenses. The department shall provide information and such services, including but not limited to secretarial and clerical services, as the said committee may reasonably require.

The committee to expedite public housing construction shall hold meetings at least once every month and shall, on or before August first, make an annual report to the secretary for communities and development, and may make such special reports as it or the commissioner may deem desirable.

The committee to expedite public housing construction shall advise the department on all aspects of any building program instituted under this chapter, and provide a liaison between the department, the public housing community, and the building industry in the commonwealth.

*Section 4.* The awarding authority shall invite all bids under this chapter in the following manner:

(A) Step One (technical proposal).

(1) The awarding authority shall prepare a sufficient number of step one technical proposal documents and make available two sets of such documents to any prospective bidder requesting the same.

The step one technical proposal documents shall include, without limitation:

(a) The volume of work expected to be required in the building program; this quantity shall not be guaranteed except at the discretion of the awarding authority and shall be expressed in a manner best suited to the bidding technique adopted;

(b) Performance requirements and evaluative criteria which may include, without limitation, applicable design, manufacturing, testing, maintenance and interface requirements and any other require-



ments or criteria the awarding authority deems appropriate, which the technical proposal must meet;

(c) A list of the detailed plans, drawings, specifications, and other supporting documentation and data, without limitation required to be submitted with the technical proposal;

(d) the submission date by which the step one technical proposal must be received by the awarding authority and the place of submission;

(e) A provision outlining the manner in which prospective bidders may individually discuss the technical aspects of their proposals with the awarding authority prior to the submission date; provided, however, that there shall be no discussion of any cost or prices; and provided, further, that the awarding authority shall make available to all other prospective bidders any clarification or amendments of the technical proposal documents determined by said discussions:

(f) A qualification form required to be submitted with the technical proposal eliciting information concerning the prospective bidder's organizational, production and installation capacity, experience, integrity and any other information concerning the prospective bidder's ability to perform the required work.

(2) The awarding authority shall make a technical evaluation of the proposals based upon the evaluative criteria set forth in the step one technical proposal documents. Any price or cost reference inadvertently included in such proposals shall be removed by the awarding authority prior to evaluation. After the submission date the awarding authority may, in its discretion, provide for a review session with each of the bidders who have submitted step one proposals. The awarding authority shall also evaluate the qualifications of the prospective bidders based on their skill, ability and integrity necessary to the faithful performance of the work.

(3) If a prospective bidder fails to submit all of the necessary supporting documentation concerning his technical proposal by the submission date, or the technical proposal submitted is unacceptable, the awarding authority may allow such prospective bidder a period of two consecutive weeks, Saturdays, Sundays and legal holidays ex-

cluded, from the date of written notification by the awarding authority of the technical unacceptability of his original proposal, to submit additional data or a modification of his original submission. The prospective bidder will not be permitted to change the basic technical concept of his submission during said two week review period extension. Said extension may be allowed only if, in the opinion of the awarding authority, award of the contract would not be unduly delayed and if greater competition would thereby be achieved. Every precaution shall be taken by the awarding authority to safeguard technical proposals or qualification information against unauthorized disclosure of any said information.

(4) All prospective bidders shall be notified upon the completion of the evaluation whether their technical proposal was acceptable or unacceptable.

All prospective bidders whose technical proposals are acceptable and who are found qualified by the awarding authority shall be invited to bid under step two.

(B) Step Two (bidding).

(1) The awarding authority shall prepare for bidding purposes and make available to (and only to) each qualified person submitting an acceptable technical proposal two sets of step two bidding documents. The step two bidding documents shall include, without limitation:

- (a) The time and place for filing bids;
- (b) A bid form;

- (i) The minimum volume of work expected to be required in the building program; this quantity shall not be guaranteed except at the discretion of the awarding authority and shall be expressed in a manner best suited to the bidding technique adopted;

- (ii) Providing appropriate space for the bidder to insert his unit or itemized prices as may be required by the awarding authority, which prices shall be deemed to be his contract price.

- (iii) In the case of bids on subsystems or components of one

or more buildings, providing appropriate space for the bidder to insert any additional charges or penalties which he will add to his unit or itemized price in order to make his technical proposal submitted under step one compatible with the technical proposals of any other bidder or bidders on other sub-systems or components of the building or buildings;

(iv) Requiring a listing of all sub-bidders, if any, and the amount of their sub-bids;

(v) Providing that the bidder will enter into a subcontract with the sub-bidders listed, if any, in the amount of their sub-bids if the bidder is selected;

(vi) Providing that the bidder will within five days after presentation thereof by the awarding authority, Saturdays, Sundays, and legal holidays excluded, execute a contract with the awarding authority which shall contain the following provisions in their entirety: the bidder is aware that upon the award of a contract to the selected general bidder, the awarding authority may assign its rights and delegate its obligations under this contract to such general contractor. Upon the making of such assignment, the assignee will stand in the position of the awarding authority under this contract and the bidder will assume toward such assignee all of the obligations which he has by this contract assumed toward the awarding authority, and

(vii) Providing that the bidder will, at the time of execution of the contract referred to in (vi) also execute performance and payment bonds in the full sum of the contract price, the premium cost of such bonds as well as of performance and payments bonds required of sub-bidders, if any, to be included in the contract price and paid by the bidder if he is selected. Such bonds shall contain the following provisions in their entirety: The principal and surety agree that the obligee will without further consent of the principal or surety assign its rights hereunder to the elected general bidder for the project and that such assignment will transfer to the assignee all rights of the obligee hereunder.

(c) A certification to be executed by every bidder that he is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the work;

(d) The requirement that every bid submitted be accompanied by cash or a certified check on, or a treasurer's or cashier's check issued by a responsible bank or trust company, payable to the awarding authority, provided, however, that the awarding authority may require in lieu of the foregoing a bid bond in a form satisfactory to the awarding authority, with a surety company qualified to do business in the commonwealth and satisfactory to the awarding authority as surety, and conditioned upon the faithful performance by the principal of his agreements as contained in his bid. The amount of such cash, check or bid bond shall be not less than five percent of the value of the proposed work as estimated by the awarding authority, but in no event shall such amount be less than one hundred dollars or more than fifty thousand dollars.

(2) Only formal bids by qualified bidders based on their technical proposal accepted in step one of the bidding process may be considered by the awarding authority.

(3) Bids shall be publicly opened, read and evaluated by computer if necessary by the awarding authority forthwith after the time limit for the filing thereof. The selections may be made on the basis of a bidder's evaluation price, at the discretion of the awarding authority, which price shall be the total cost of applying the bidder's unit or itemized prices to a building design(s) prepared by the awarding authority for purposes of bid evaluation. Said selection, based on a bidder's evaluation price shall be made after a detailed review of all bids by the awarding authority to establish arithmetic accuracy, and to ensure that no changes have been made to the approved technical proposals between steps one and two; provided, however, that in the case of bids on subsystems or components of one or more buildings where additional penalties or charges have been stated in bids in accordance with item (iii) of paragraph B (1) (b) of this section, then the awarding authority shall accept as the lowest contract price bid, the lowest aggregate cost of the total system taking into consideration the applicable penalties or charges each subsystem bidder has imposed

upon each other subsystem bidder.

(4) Every bid shall be for the complete work as specified in the form of bid. Any bid which is not accompanied by a bid deposit as prescribed or which is incomplete, conditional or obscure or submitted by an unqualified bidder shall be invalid; and the awarding authority shall reject every such bid.

(5) The awarding authority may require selected bidders to perform tests, submit test data or to construct a prototype structure to demonstrate feasibility of construction.

*Section 5.* The awarding authority may prepare and make available qualification forms to elicit information concerning the construction management capability, organizational capacity, experience, integrity and any other information concerning the ability of prospective general contractors to perform the required work. The awarding authority shall review and evaluate the qualifications of prospective general contractors.

(b) After the determination of the selected subsystems bidders the awarding authority may take bids from prequalified general bidders on forms furnished by the awarding authority. The awarding authority shall furnish such general bidders drawings and specifications which adequately represent the requirements of the work to be performed and shall be responsible for the adequacy of the design and sufficiency of the drawings and specifications, and shall also furnish such general bidders in writing a listing of the selected subsystems bidders, listing for each subsystems bidder its name, address, and bid price. Such drawings and specifications shall be furnished to bidders without cost or charge except for a deposit for return of same in good condition. The general contractor(s) shall agree if selected to use only the subsystem bidders selected by the awarding authority for the work indicated in accordance with section four; provided, however, that nothing in this chapter shall preclude a general contractor from also bidding on one or more of the subsystems in accordance with section four, but provided further that any general contractor selected by the department as a member of the committee to expedite public housing construction, or hired by the department to act as a consultant to the department on the development of the

overall program shall be thereby precluded from bidding on any aspect of the program.

(c) The general contractor(s) shall agree that, if he is selected as a general contractor(s), he will within five days, Saturdays, Sundays and legal holidays excluded, after presentation thereof by the awarding authority, execute a contract in accordance with the terms of the general bid and furnish a performance bond and also a labor and materials or payment bond, each of a surety company qualified to do business under the laws of the commonwealth and satisfactory to the awarding authority and each in the sum of at least fifty percent of the contract price, the premiums for which are to be paid by the general contractor and are included in the contract.

(d) The general contractor shall agree and certify that, if he is called upon to furnish labor, that said labor shall be able to work in harmony with all other elements of labor employed or to be employed on the work. Further, the general contractor shall be responsible, financially and otherwise, for the coordination and scheduling of the selected subsystems bidders on each of the construction sites. The general contractor shall advise the awarding authority as to any problems arising on the construction site(s) and recommend appropriate solutions to said problems. The awarding authority may include, as part of the bidding documents, penalties for failure of subsystem bidders to comply with the construction schedule or to otherwise breach the contract documents. The general contractor shall notify the awarding authority of any said breach, and on the recommendation of the said general contractor, the awarding authority may levy a penalty in accordance with the bidding documents, or withhold payments until the breach is corrected, as to any subsystems bidder who fails to so fulfill his contractual obligations.

(e) Each general bid shall be accompanied by cash or a certified check on, or a treasurer's or cashier's check issued by a responsible bank or trust company, payable to the awarding authority, provided, however, that the awarding authority may require in lieu of the foregoing a bid bond in a form satisfactory to the awarding authority, with a surety company qualified to do business in the commonwealth and satisfactory to the awarding authority as surety, and con-

ditioned upon the faithful performance by the principal of his agreements as contained in his bid. The amount of such cash, check or bid bond shall be not less than five percent of the value of the proposed work as estimated by the awarding authority, but in no event shall such amount be less than one hundred dollars or more than fifty thousand dollars.

*Section 6.* The award of every contract under this chapter shall be made, in the case of subsystems bidders, within a reasonable time after the awarding authority has reviewed and evaluated the subsystems bids and all bidding requirements have been fulfilled, and in the case of general bidders, to the lowest responsible and eligible bidder within thirty days, Saturdays, Sundays and legal holidays excluded, after the opening of the general bids therefor, provided all bidding requirements have been fulfilled. The awarding authority may always reject any and all bids if it determines that the public interest so requires. If the bidder selected fails to perform his agreement to execute a contract in accordance with the terms of his bid and furnish a performance bond and a labor and materials or payment bonds the award shall be made to the next lowest bidder.

*Section 7.* All bid deposits of bidders, except those of the three lowest bidders, shall be returned within five days, Saturdays, Sundays, and legal holidays excluded, after the selection of the subsystems bidders or, in the case of general bidders, within five days after the opening of the general bids. The bid deposits of the three lowest bidders shall be returned upon the execution and delivery of the contract. If no award is made upon the expiration of the time prescribed in the preceding paragraph for making an award, the bid deposits of the three lowest bidders shall be returned; provided, however, that, if any bidder fails to perform his agreement to execute a contract and furnish a performance bond and a labor and materials or payment bond as stated in his bid, his bid deposit shall become and be the property of the awarding authority to which it is payable, as liquidated damages; provided, further that the amount of the bid deposit which becomes the property of the awarding authority shall not, in any event, exceed the difference between bid prices of such bidder who fails to perform his agreement and the bid price of the

next lowest bidder, and provided further that, in case of death, disability, bona fide clerical or mechanical error of a substantial nature, or other unforeseen circumstances affecting the bidder, his bid deposit shall be returned to him. Every bidder whose bid deposit is not returned pursuant to the provisions of this paragraph may as of right file with the awarding authority at any time after five days, Saturdays, Sundays and legal holidays excluded, from the opening of the bids, a bond in an amount not less than the amount of his bid deposit and in a form satisfactory to the awarding authority, with a surety company qualified to do business in the commonwealth and satisfactory to the awarding authority, as a surety, and conditioned upon the faithful performance by the principal of his agreements as contained in his bid. Upon the filing of a bond as aforesaid, the bid deposit of any such bidder shall forthwith be returned to him.

*Section 8.* If any provision of the foregoing sections one to seven inclusive, or the application of such provisions to any person or circumstance shall be held invalid or unconstitutional, the other provisions of said sections or the application of such provision to any person or circumstance other than that as to which it is held invalid or unconstitutional, shall not be affected thereby.

**SECTION 2.** Section 3 of chapter 23B of the General Laws, as appearing in section 1 of chapter 761 of the acts of 1968, is hereby amended by inserting after clause (t) the following two clauses:-

(u) Engage and/or participate in innovative and experimental methods, techniques and technologies of housing construction, including, without limitation, contracts for such construction awarded pursuant to chapter twenty-three C, and, in connection therewith, do, perform and carry out all aggregations of market demand necessary to expedite the use of such methods, techniques and technologies.

(v) For purposes of chapter twenty-three C the department may act as an awarding authority on behalf of one or more housing authorities established by the provisions of chapter one hundred twenty-one B and may enter into appropriate agreements with such housing authorities by the terms of which the department may, on their behalf, exercise the powers granted awarding authorities by the provi-



sions of chapter twenty-three C.

**SECTION 3.** Section 11 of chapter 121B of the General Laws, inserted by section 2 of chapter 851 of the acts of 1970, hereby amended by inserting after clause (n) the following clause:

(o) Subject to the approval of the department, to develop, test and report methods and techniques and carry out demonstrations for the economical and expeditious construction of public or publicly subsidized housing.

**SECTION 4.** Section 26 of said chapter 121B, is hereby amended by inserting after clause (j), inserted by section 2 of chapter 694 of the acts of 1970, the following clause:-

(k) To enter into agreements with the department in order to permit the department to act as an awarding authority on its behalf as provided in clause (v) of section three of chapter twenty-three B.



## **APPENDIX E**

**IN THE YEAR  
ONE THOUSAND NINE HUNDRED AND SEVENTY-TWO**

**AN ACT PROVIDING FOR AN INCREASE IN THE BONDING  
AUTHORIZATION FOR THE ELDERLY AND FAMILY  
HOUSING PROGRAM**

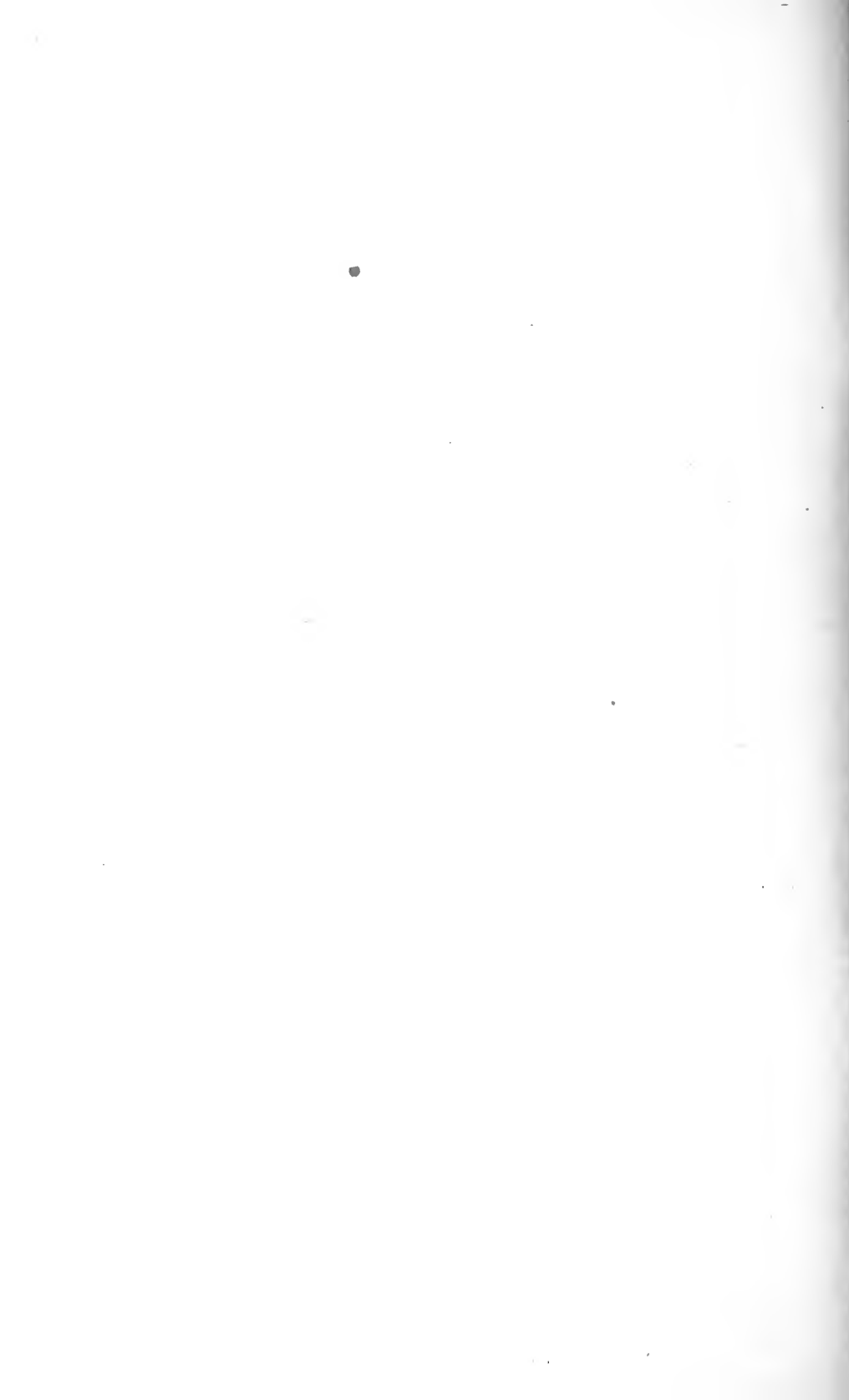
*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** Subdivision (b) of section 34 of chapter 121B of the general laws, as appearing in section four of chapter 1114 of the acts of 1971, is hereby amended by striking out the words: “two million two hundred and fifty thousand dollars”, and inserting in place thereof the following words: “eight million two hundred thousand dollars.”

**SECTION 2.** Section 34 of chapter 121B of the general laws, as appearing in section one of chapter 751 of the acts of 1969, is hereby amended by striking out the words: “two hundred and twenty-five million dollars”, in paragraph seven of said section, and inserting in place thereof the words: “three hundred and twenty-five million dollars.”

**SECTION 3.** The first paragraph of section forty-one of said chapter 121B, as appearing in section five of chapter 1114 of the acts of 1971, is hereby amended by striking out in line nine the words: “four hundred and ten”, and inserting in place thereof the words: “five hundred and ten”, and by striking out in lines thirteen and fourteen, the words: “twenty-four million six hundred thousand”, and inserting in place thereof the words: “thirty million six hundred thousand.”





J41 Mass. Dept. of Commu-  
M nity Affairs.

J  
M AUTHOR  
1972 Report on housing policy  
19 TITLE  
2r and programs.

ROOM

